

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81492 of 2023

Arising Out of PS. Case No.-451 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

VIJAY PASWAN SON OF LAXMI PASWAN RESIDENT OF VILLAGE -
DIGHI KALA WEST, GOP TOLA WARD NO.3, P.S. - HAJIPUR SADAR,
DISTRICT - VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravish Mishra, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-03-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Hajipur Sadar P.S. Case No. 451 of 2023 instituted under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018 lodged on 11.6.2023 by the informant, Jitendra Kumar.

3. As per the prosecution story, the informant alleged that during patrolling, he received confidential information and accordingly raided the house of the petitioner and recovered 10 liters of country made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery is from the joint house. The police has targeted him only because he has criminal antecedent of the same nature and



every now and then for any recovery/seizure, is name comes up.

5. Learned APP opposes the prayer for anticipatory bail.

6. Considering the submission as also that nothing has been recovered from the conscious possession of the petitioner, this Court is inclined to extend him privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Hajipur Sadar P.S. Case No. 451 of 2023 to the satisfaction of learned Exclusive Special Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his



bail bond by the Trial Court itself;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(vi) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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