

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1460 of 2025

Arising Out of PS. Case No.-115 Year-2024 Thana- Bhalpatti District- Darbhanga

Horil Paswan S/o Rajendra Paswan R/o Village- Andhiyari Pachawari Tole,
P.S.- Bhalpatti, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-02-2025 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 274, 275 of the B.N.S. Act and Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2018.

3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 6.6 litres of liquor from a bush and 11 litres of liquor from field of the petitioner. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and It is next submitted that no prudent person would use his own field for committing an occurrence and thus would create evidence



against himself and hence would get implicated. It is next submitted that field is an open space, as such it appears that someone inimical to the petitioner planted meager amount of liquor in the field and got him implicated.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Bhalpatti P.S. Case No.115/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that thereafter the learned trial court shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than one case, in that event, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner has antecedent of one case, in that event the



provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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