

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1492 of 2025

Arising Out of PS. Case No.-319 Year-2024 Thana- BARH District- Patna

Srikant Paswan S/o- Dina Paswan Village- Buranichak Milki Ps- Barh Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Adv.
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Barh P.S. Case No. 319 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. The learned Counsel submits that the petitioner has antecedent of one case and the allegation is of recovery of 15 litres of liquor from a place near a railway line. It is next submitted that the petitioner was not arrested from the spot and as such nothing was recovered from the conscious possession of the petitioner and even alleged recovery is from a place which does not belong to the petitioner and it is accessible to

the public at large and he came to be implicated at the instance of the local people, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR which casts an aspersion on the case of the prosecution.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Barh P.S. Case No. 319 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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

that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J.)

Jyoti Kumari/-

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