

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12840 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- MEHSI District- East Champaran

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1. Rajan Kumar TunTun Paswan Resident of village- Tajpur Bara, Ps- Mehsi, Dist- East Champaran
 2. Upendra Kumar @ O.P. Son of Late Ramchandra Paswan Resident of village- Tajpur Bara, Ps- Mehsi, Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar

For the Opposite Party/s : Mr. Anand Kishore Choudhary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-04-2025 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and allegation is of recovery of 45.750 litres of liquor from a bag and behind the room of the petitioner. It is next submitted that 9.750 litres of liquor was recovered from a bag allegedly thrown by the petitioners and 36 litres of liquor from a place behind the room. It is further submitted that petitioners were not arrested from the



spot as such nothing was recovered from their conscious possession and they have no concern with the bag in question and alleged recovery from a place behind the room does not belong to the petitioner and they came to be implicated at the instance of chowkidar with whom they are on an inimical term.

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

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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) each 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 Mehsi P.S. Case No.8/2025, 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 thereafter shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioners have 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 petitioners have antecedent of one case, in that event the provisional anticipatory bail order shall be confirmed forthwith.

7. The supplementary affidavit filed on behalf of the petitioners is taken on record.

(Satyavrat Verma, J)

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