

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25963 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- CHHAURADANO District- East
Champaran

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Laxman Paswan S/O Bhikhari Paswan Resident of Village- Ekdari, PS-
Chhauradano, Dist.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Barnwal, Advocate
For the State	:	Mr. Madhura Nand Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Chhauradano P.S. Case No. 22 of 2025 for the offence under Sections 30(a) and 41(i) of Bihar Prohibition and Excise Act, lodged on 24.01.2025 by the informant, Md. Aslam Ansari.

3. As per the prosecution story, the informant on secret information raided a road side vendor selling egg and recovered/seized 18 liters Nepali Liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the recovery/seizure is from an open place, only because he was there selling eggs, implicated, has no criminal antecedent and shall be diligently appearing in trial.



5. Learned APP opposes the prayer.

6. Considering the submission of the parties as also the fact the recovery/seizure is from an open place, not from his conscious possession and has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Exclusive Special Excise Court No.-02, East Champaran, Motihari, in connection with Chhauradano P.S. Case No. 22 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) one of the bailor should be the family member/relative 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/her bail bond by the Trial Court itself;



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

(iv) 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;

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

(Rajiv Roy, J)

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