

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34580 of 2025

Arising Out of PS. Case No.-60 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Pramod Paswan S/O- Madan Paswan R/O Vill- Lakhamanpur, P.S.- Chainpur,
District- Kaimur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Pratap, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard Mr. Aditya Pratap, learned counsel for the
petitioner and Mr. Bharat Bhushan, learned APP for the State.

2. The petitioner is apprehending arrest in connection with Excise P.S. Case No. 60 of 2025 instituted under Sections 30(a)/32(i), (iii), 41(i)&(ii) of the Bihar Prohibition and Excise Act lodged on 22.01.2025 by the informant, Ritika Kumari.

3. As per the prosecution story, the informant alleged that during the vehicle check, a tempo driver left his tempo and escaped. Upon search, 59.220 liters of illicit foreign liquor recovered/seized which led to the FIR.

4. Learned counsel for the petitioner submits that though he owns the auto prior to the incident, as he defaulted in payment, was taken away by the Finance Company. He has no



criminal antecedent.

5. Learned APP opposes the prayer submitting that there is no such paper to show the submission put forward by the learned counsel for the petitioner.

6. Considering the submissions of the parties as also the fact that nothing has been recovered from his conscious possession, the petitioner 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 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 Excise P.S. Case No. 60 of 2025(Kaimur at Bhabhua) to the satisfaction of learned Special Judge Excise-II, Kaimur at Bhabhua 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/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 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;

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

(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 his bail bonds.

(Rajiv Roy, J)

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