

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38468 of 2025

Arising Out of PS. Case No.-350 Year-2025 Thana- Excise P.S. District- Aurangabad

Asnarayan Paswan S/o- Saryu Paswan Resident of Village- Judahi, P.S-
Risiup, District-Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh, Adv.

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Heard Mr. Abhishek Kumar Singh, learned counsel
for the petitioner and the State.

2. The petitioner apprehends his arrest in connection with Excise Sadar Aurangabad P.S. Case No. 350 of 2025 for the offence registered under sections 30(a)/32(3) of Bihar Excise Prohibition and Amendment Act, 2018 lodged on 29.03.2025 by the informant, Krishnandan Kumar.

3. As per the prosecution story, during the checking of the vehicles, one motorcycle was intercepted with 5 liter liquor, the locals gave the name of the persons who escaped as Sonu Kumar and Rajkumar Paswan. This led to the FIR.

4. Learned Counsel for the petitioner submits that neither he was on the motorcycle nor his name cropped up but only because he had given the motorcycle to his cousin,



Rajkumar Paswan and owns the same, got implicated. He do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Taking into account the aforesaid facts as also that he has no criminal antecedent and being the owner, has been implicated, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Special Judge, Excise Court No. II, Aurangabad in connection with Excise Sadar Aurangabad P.S. Case No. 350 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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