

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65133 of 2025

Arising Out of PS. Case No.-297 Year-2024 Thana- ARA MUFFSIL District- Bhojpur

Manoj Paswan @ Manoj Ram Son of Surendra Paswan Resident of Village -
Mahuli, P.S.- Ara Muffasil, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raju Kumar Singh, Adv.

Ms. Drishti Mohan, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-09-2025 Heard Ms. Drishti Mohan learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Ara Muffasil P.S. Case No. 297 of 2024 for the offence
registered under sections 30(a) of Excise Act.

3. As per the prosecution story, the Police upon secret
information, reached the place and there is recovery/seizure of
10 liter country made liquor. Budhu Kumar and Utam Paswan
were arrested who gave the name of the person who escaped as
this petitioner. This led to the FIR.

4. Learned Counsel for the petitioner submits that a
perusal of the FIR would show that recovery/seizure is not from
this petitioner nor he has criminal antecedent.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that those arrested, named him.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. However, if it is found that contrary to the statement made in paragraph 3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. 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 Exclusive Special Judge Excise Court No. 1, Bhojpur at Ara in connection with Ara Muffasil P.S. Case No. 297 of 2024 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 and at the end of the period, the certificate be submitted to the Court;

(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.

9. Before parting, this Court would like to put on record its word of appreciation for Ms. Drishti Mohan for the proper assistance rendered in the matter.

(Rajiv Roy, J)

Vijay Singh/-

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