

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70720 of 2025

Arising Out of PS. Case No.-354 Year-2025 Thana- PIPRA District- East Champaran

Raju Paswan S/O Shankar Paswan R/O Village- Bediban Madhuban, P.S.-
Pipra, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Gupta, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-10-2025 Heard Mr. Sumit Kumar Gupta, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Pipra P.S. Case No. 354 of 2025 for the offence registered under sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act, lodged on 05.08.2025 by the informant, Parmanand Yadav.

3. As per the FIR, the police intercepted a scooter parked near the corner of the petitioner's house. A couple was unloading the sack who tried to escape. The lady was arrested, she gave the name of this petitioner and there is recovery/seizure of 51 litres of country made liquor, this led to the FIR.

4. Learned Counsel for the petitioner submits that nothing has been recovered from his conscious possession nor

the motorcycle belongs to him, the lady who was arrested named him. If granted relief, he shall be diligently appearing in trial.

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

6. Considering the submissions of the parties as also the fact that the petitioner is not the owner of the vehicle nor has criminal antecedent, 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 Exclusive Special Excise Court No. 3, East Champaran, Motihari in connection with Pipra P.S. Case No. 354 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner(s) should be the family members/relatives/distant relatives of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner(s) 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(s) 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(s) 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(s) 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)

Raj Ranjan/-

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