

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71442 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- Daudnagar Excise District- Aurangabad

Gariban Paswan Son of Ganesh Paswan R/O Village - Pakadiya Patralay, P.S.-
Akodhi Gola, District - Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 15-10-2025 Heard Mrs. Mukul Kumari, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Daudnagar P.S. Case No. 122 of 2025 for the offence under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act lodged on 08.04.2025 by the informant, Omi Kumari.

3. As per the prosecution story, the Police on secret information and during checking of the vehicles, intercepted a motorcycle and there is recovery/seizure of 15 liters of country-made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that he owns the motorcycle which was given to Guddu Kumar, he got arrested alongwith the liquor, the petitioner has nothing to do



with the said recovery/seizure and only because of criminal antecedent, implicated.

5. Learned APP opposes the prayer submitting that not only he has criminal antecedent, the vehicle also belongs to him.

6. Taking into account the submissions of the parties as also that the person alongwith liquor has already been arrested, FIR is there against the petitioner being the owner of the vehicle, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 Special Judge, Excise-II, Aurangabad in connection with Daudnagar P.S. Case No. 122 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the bail bonds;

(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)

Adnan/-

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