

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.87809 of 2024**

Arising Out of PS. Case No.-377 Year-2024 Thana- Daudnagar Excise District- Aurangabad

Dharmendra Paswan S/o Naresh Paswan R/o vill - Tejpura, P.S.- Obra, Distt.-  
Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aman Vishal, Advocate  
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

**CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH**  
**ORAL ORDER**

2      10-01-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner is apprehending his arrest in connection with Dadanagar P.S. Case No. 377 of 2024 for the offence under Sections 30(a) and 32(3) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution story, total 14 litres of illicit liquor has been recovered from a motorcycle, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. rather he has falsely been implicated in this case as he is the owner of the seized motorcycle which is allegedly used in transportation of illicit liquor. He further submits that the petitioner was not driving the said vehicle at the alleged time of occurrence rather it was



driven by co-accused Manjay Kumar who is nephew of the petitioner. The petitioner is only registered owner of the said motorcycle. His last submission is that the proper procedure of search and seizure has not been followed in this case.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

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) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise, second, Aurangabad (Bihar), in connection with Dadanagar P.S. Case No. 377 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bonds shall be cancelled by the learned trial Court.



(iii) if the petitioner tampers with the evidence or threatens the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iv) In case, the petitioner repeats offence of similar nature after enlargement on bail, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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