

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66922 of 2022

Arising Out of PS. Case No.-94 Year-2022 Thana- BAIKUNTHPUR District- Gopalganj

MANOJ RAM S/O Pular Ram @ PRALLU RAM @ PRALU RAM R/O
Village- Sanwaliya, P.S- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioner apprehends his arrest in a case
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

Allegation is of recovery of 15 litres of liquor from
the embankment of village Sonwaliya.

Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession. It is further submitted
that petitioner came to be implicated at the instance of villagers



and Chawkidar with whom petitioner is on an inimical term. It is next submitted that even the alleged recovery is from a place which is accessible to public at large.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baikunthpur P.S. Case No. 94 of 2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned Trial Court before accepting the bail bonds shall verify the criminal antecedent of the petitioner and, in the event, if it is found that petitioner has antecedent then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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