

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70910 of 2022**

Arising Out of PS. Case No.-379 Year-2022 Thana- MADHUBANI TOWN District-
Madhubani

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LAL SAH @ LAL KUMAR S/O KAILASH SAH Resident of village-
Rajivnagar Ratnasagar, Bhouwara, Ward no- 27, P.S.- Town, District-
Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

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

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 20-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 6.300 litres of liquor from the possession of Ganesh
Mahto and 9.3 litres of liquor from the pond of Anand
Mahaseth.

Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession, it is next



submitted that he came to be implicated based on a secret information which is the easiest way to implicate someone when admittedly petitioner is a person with clean antecedent.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Madhubani Town P.S. Case No. 379 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedent and if it is found that the petitioner has antecedent even of a single case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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