

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27596 of 2023

Arising Out of PS. Case No.-152 Year-2020 Thana- SURYAGARHA District- Lakhisarai

MUNNA SINGH S/O DANI SINGH R/O Village- Ramchandrapur, P.S-
Surajgarha, Distt.- Lakhisarai, Bihar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Kumar Upadhyaya, Advocate
For the Opposite Party/s : Mr. Umesh Lal Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 23-05-2023 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 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 907.80 litres of liquor from a truck and a boat.

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 is neither the owner of the truck nor the boat and he came to be implicated at the instance of the Chawkidar when admittedly petitioner is a person with clean antecedent. Learned



counsel next submits that in majority of the cases, the accused persons are being implicated at the behest of the Chawkidar which also gives an impression that the implication is mechanical.

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.1,000/- (Rupees One 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 Surajgarha P.S. Case No. 152 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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