

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40919 of 2023

Arising Out of PS. Case No.-241 Year-2021 Thana- BAHERA District- Darbhanga

Mintu Singh @ Mintu Kumar Singh S/o Laxmi Singh R/O Village- Katma,
Bahuharwa, P.S. Manigachhi, Distt. Madhubani

... .. Petitioner

Versus

The State Of Bihar.

... .. Opposite Party

Appearance :

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

For the Opposite Party/s : Mr.Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 28-07-2023 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with Bahera P.S. Case No.- 241 of 2021 registered for the offences punishable under Section 30(a) Bihar Prohibition and Excise Act. He has got one criminal antecedent.

3. Learned counsel for the petitioner submits that the police recovered 455 carton illicit liquor from the truck and 31 cartoon of illicit liquor from the pick-up van. The driver of the pick-up van was caught and upon interrogation he disclosed the name of petitioner as the driver of the truck who managed to escape.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has been falsely implicated in this case on mere ground of suspicion.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the facts and circumstances of the case wherein the recovery of illicit liquor has been made from a truck, the petitioner was not found on the said truck but his name has transpired alleging that the liquors were to be supplied to the petitioner, in the nature of allegations, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named shall be enlarged on bail in connection with Bahera P.S. Case No.- 241 of 2021 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned 2nd Addl. Sessions Judge cum Special Judge Excise act, Darbhanga , subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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