

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43567 of 2023

Arising Out of PS. Case No.-240 Year-2023 Thana- DAUDNAGAR District- Aurangabad

VINAY KUMAR Son of Ramsarup Singh Resident of village - Fatehganj
(Kanap Tola), P.S. - Daudnagar, Distt. - Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 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 Daudnagar P.S. Case No. 240 of 2023 registered for the offences punishable under Sections 30(a) (c) of the Bihar Prohibition and Excise (Amendment) Act, 2018. He has no criminal antecedent as stated in paragraph '3' of the application.

3. As per the prosecution story, the informant, who is S.I. of Daudnagar Police Station, has alleged that on 21.04.2023 when he got secret information that Vinay Kumar and his mother Sanjoga Devi in their cattle home manufacturing and selling the illegal liquor, he reached there but the male person succeeded in fleeing away and the lady accused was arrested and she disclosed her name as Sanjoga Devi, thereafter a search



was conducted in the cattle house and total 6.84 liters of illicit liquor were recovered.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. Learned counsel submits that the illicit liquor and other articles were recovered from the cattle house which is a joint property of the petitioner and his co-sharer.

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

6. Having regard to the place of recovery which is a cattle house and is said to be the joint property of the petitioner and the co-sharer from where recovery of 6.84 liters of illicit liquor has been shown recovered and the petitioner has no criminal antecedent, this Court, therefore, directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing of bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court No. II, Aurangabad (Bihar), in connection with Daudnagar P.S. Case No. 240 of 2023, 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.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

