

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68513 of 2023

Arising Out of PS. Case No.-161 Year-2023 Thana- TILAUTHU District- Rohtas

Chandan Kumar Son Of Ashok Singh Resident Of Village - Sanaura, P.S. -
Tilauthu, District - Rohtas

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Shashikant, Advocate Mr. Surendra Kumar Mishra, Advocate Mr. Sudama Singh, Advocate
For the Opposite Party/s :		Mr. Binod Kumar No.3, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 01-11-2023 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 Tilauthu P.S. Case No. 161 of 2023 registered for the offences punishable under Section 30(a) of Bihar Prohibition and Excise Act. He has got no criminal antecedent.

3. As per the prosecution story, the informant got information from the control room regarding concealment of liquor by the petitioner and others in village Sanaura. The informant reached at the given place with police party where on seeing the police two persons started fleeing and manage to escape. The informant searched the place and recovered 12 litres



mahua liquor near the peepal tree under the straw. The informant came to know about the accused persons from the spy.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged liquor has been recovered under the straw near the peepal tree which is not a place in the possession of the petitioner.

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 it is submitted that the alleged liquor has been recovered under the straw near the peepal tree which is not a place in the possession of the petitioner and the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with Tilauthu P.S. Case No. 161 of 2023 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 Exclusive Special Excise Court No.2-cum-Additional District and Sessions Judge, Rohtas at Sasaram



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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