

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18702 of 2024

Arising Out of PS. Case No.-360 Year-2023 Thana- PATNA CITY CHOWK District- Patna

PAWAN RAI Son of Binda Rai @ Vinda Ray Resident of Kachchi Ghat, P.S.-
Chowk, Patna City, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Ms.Rina Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act and Section 414 of IPC.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 140 litres of liquor from two motorcycles, as
detailed in FIR.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not owner of the
seized motorcycles. It is next submitted that he came to be
implicated at the instance of local people, but then the name of



the person, who disclosed the name of the petitioner is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent. It is further submitted that in 90 percent of the cases, police are implicating the accused persons either at the instance of Chowkidar or at the instance of local people.

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

6. 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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Chowk P.S. Case No. 360 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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