

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22267 of 2024

Arising Out of PS. Case No.-98 Year-2023 Thana- RAJEPUR District- East Champaran

SONALAL YADAV SON OF VIKASH RAI RESIDENT OF VILLAGE -
NONIMAL, P.S. - RAJEPUR, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 10-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 273 of the IPC and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 61.920 liters of liquor from a maize field and a
bolero vehicle as detailed in the FIR.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious



possession and even alleged recovery is from a field which does not belong to the petitioner and petitioner is not the owner of the seized vehicle and he came to be implicated at the instance of local person, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.3, Motihari, East Champaran in connection with Rajepur P.S. Case No.98 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the



criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

Prakash Narayan

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