

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24540 of 2024

Arising Out of PS. Case No.-247 Year-2022 Thana- BARHARA District- Bhojpur

Alok Kumar Singh son of Harendra Singh Resident of Village- Chatar, Police
Station- Barhara, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akash Kumar Mishra

For the Opposite Party/s : Mr. Shyameshwar Dayal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-04-2024 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.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 8 liters of liquor from a truck.
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 he is a transporter.
It is further submitted that he came to be implicated based on
the fact that he is owner of the truck. It is next submitted that no
prudent person would use his own vehicle for committing an



occurrence and thus would create evidence against himself and hence would get implicated and at the same time would bring disrepute to his business. It is also submitted that the driver without informing the petitioner had kept meager amount of liquor in the truck for his consumption, who fled from the place of occurrence.

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. 1,000/- (Rupees One Thousand) 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 Barhara P.S. Case No. 247 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 to.

(Satyavrat Verma, J)

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