

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26776 of 2024

Arising Out of PS. Case No.-426 Year-2023 Thana- LALGANJ District- Vaishali

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Sanoj Kumar @ Sanoj Rai S/o Binda Ray R/o vill - Phuladh, P.s. - Vaishali,
Distt. - Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Nazir Ansari, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 09-04-2024 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 30(a)(e)(4), 33 of the Bihar Prohibition and Excise Act,
2018.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of four cases and allegation is of
recovery of 525 liters of spirit from a magic van.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and he is not the owner nor the driver of the seized



vehicle and he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner, taking advantage of his antecedent.

5. The learned APP 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.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.I-cum-Additional District & Sessions Judge, Vaishali at Hajipur in connection with Lalganj P.S. Case No.426 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 more than four cases, in that event, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

Prakash Narayan

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