

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27189 of 2024

Arising Out of PS. Case No.-137 Year-2022 Thana- GORIAKOTHI District- Siwan

Chunnu Tiwari @ Raju Tiwari S/O Ravindra Kumar Tiwari @ Ravindra
Tiwari R/O Village - Jagarnathpur, P.S. - Goreakothi, District - Siwan.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-04-2024 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 offence punishable under Section 30(a) of
Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of
recovery of 259.200 litres of liquor from a Tavera car. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and is
neither the owner nor the driver of the seized vehicle and he
came to be implicated at the instance of chowkidar. It is also
submitted that if the chowkidar was aware of the involvement of
the petitioner in the occurrence then why he did not inform the
police prior to institution of the instant F.I.R., which casts an



aspersion on the case of the prosecution.

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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five 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 Goreakothi P.S. Case No.137/2022, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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