

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25686 of 2024**

Arising Out of PS. Case No.-336 Year-2016 Thana- BARACHATTI District- Gaya

Munna Singh @ Mukesh Prasad Singh Son of Mahavir Prasad Singh Resident  
of Village- Khutaura, Police Station- Hantarganj, District- Chatra (Jharkhand)  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Aryan Singh

For the Opposite Party/s : Mr. Surendra Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      04-04-2024                      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 Sections 272, 273  
and 120B of the IPC read with Sections 47(a), 48(2), 54 and 53  
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 157 liters of liquor from a Bolero vehicle.

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 neither the  
owner nor the driver of the seized vehicle and he came to be  
implicated based on the confessional statement of Sanjay and  
Jitendra in police custody which does not have any evidentiary  
value, when admittedly petitioner is a person with clean



antecedent.

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 Barachatty P.S. Case No. 336 of 2016 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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