

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24923 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- PARSA District- Saran

Bhagwan Ray Son of Late Basawan Ray @ Vasawan Ray Resident of Village-
Baligaon, P.S. Parsa, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh
For the Opposite Party/s : Mr. Sanjay Kumar Sharma

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 offence punishable under Section 30(a) of Bihar Prohibition
and Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and allegation is of recovery of
425 litres of liquor from a boat. 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 of the boat. It is
further submitted that the police in mechanical manner implicates the
accused person either at the instance of local people or chowkidar but
then if the local person 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 petitioner.

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 Parsa P.S. Case No.12/2024, 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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