

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26231 of 2024

Arising Out of PS. Case No.-91 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Deepu Malik @ Dipu Kumar S/o Late Jangali Mallik R/o Village- Nauranga
Bag, P.S.- Bettiah Town, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Ms. Sucheta Yadav

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 205-04-20241. 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 three cases and allegation is of
recovery of 15 litres of liquor from a place near the house of the
petitioner. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and even alleged recovery is from a place which is
accessible to public at large and but he came to be implicated by
the local person but then it is submitted that the police in



mechanical manner implicates either at the instance of local people or chowkidar. It is next submitted that if the local person was aware about the involvement of the petitioner in the occurrence why he or she 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.15000/- (Rupees fifteen 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 Bettiah Town P.S. Case No.91/2024, 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 three cases, in



that event, the present anticipatory bail order shall not be given
effect to.

(Satyavrat Verma, J)

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