

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27226 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

1. Ajeet Singh Son of Ram Sevak Singh
 2. Saroj Singh S/o Late Akshaylal Singh d@ Matha Singh
- Both are R/o Village- Asani, P.S.- Udwant Nagar, Dist.- Bhojpur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nagendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 10-04-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.
3. The learned counsel for the petitioners submit that the petitioners are person with clean antecedent and the allegation is of recovery of 145 liters of liquor from a motorcycle.
4. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from the



conscious possession and they are not the owner of the seized motorcycle and they came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value, when petitioners admittedly are a person with clean antecedent.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, Excise Court No.II, Bhojpur at Ara in connection with Udwant Nagar P.S. Case No.69 of 2024, 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 even one case, in that



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

(Satyavrat Verma, J)

Prakash Narayan

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