

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25798 of 2024

Arising Out of PS. Case No.-294 Year-2022 Thana- SIKTI District- Araria

Md. Junaid Alam @ Junaid, S/O Miyajul Hussain, R/O - Vill - Dahagama
Parariya ward no. 4, P.S - Sikty, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Rana, Advocate

For the Opposite Party/s : Mr.Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Sikty P.S. Case No.294 of 2022 registered for the offences punishable under Sections 341, 323, 324, 504 and 506 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018. The petitioner has got no criminal antecedent.

3. As per the prosecution story, when the informant was returning home after getting his son treated, he collided with the accused persons who were carrying liquor on their motorcycle. It is alleged that the accused persons abused and assaulted him and also snatched his mobile and cash Rs.10,000/- from him. On information, police arrived and informant handed

over the liquor to them.

4. Learned counsel for the petitioner submits that it is a case of false implication as there is no specific allegation against the petitioner and no recovery has been made from his conscious possession. It was the informant who handed over the liquor to the police personnel.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner, but having regard to the facts and circumstances of the case wherein the co-accused Md. Salman @ Salman has been granted privilege or pre-arrest bail by this Court in Cr.Misc.No.67722 of 2023, this Court is of the considered opinion that the petitioner being standing on the same footing deserves privilege of pre-arrest bail.

6. Let in case of his arrest/surrender within a period of four weeks from today, the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise-2nd, Araria in connection with Sikty P.S. Case No. 294 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall

verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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