

Arising Out of PS. Case No.-232 Year-2023 Thana- LALGANJ District- Vaishali

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- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Arvind Kumar Sinha
For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-04-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case and petitioner no.2 is a person with clean antecedent and allegation is of recovery of 30 litres of liquor from a place near a Diyara area. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which is accessible to public at large and they came to be implicated based on secret



information which is the easiest way to implicate someone.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five thousand) each 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 Lalganj P.S. Case No.232/2023, 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent of more than one case and petitioner no.2 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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