

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.26632 of 2024

Arising Out of PS. Case No.-61 Year-2019 Thana- RIVILGANJ District- Saran

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Munna Chaudhary @ Munna Bin S/O Navratan Bin @ Narendra Chaudhary
R/O Village- Daulatganj Near Remand Home, P.S- Bhagwan Bazar, Distt.-
Saran At Chapra.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 14-05-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 273 of the Indian Penal Code read with Section
30(a), 41 of the Bihar Prohibition and Excise Act in connection
with Rivilganj P.S. Case No.61 of 2019.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
total recovery of 35 liters of liquor from the furnace of Rajesh



Rai and Subhash Prasad.

4. 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 does not belong to the petitioner and he came to be implicated based on confessional statement of apprehended accused in police custody which does not have any evidentiary value.

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

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Second Exclusive Special Excise Judge, Saran at Chhapra in connection with Rivilganj P.S. Case No.61 of 2019., subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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 more than one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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