

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27115 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- NASRIGANJ District- Rohtas

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Guddu Singh Son of Nand Yadav Resident of Village - Ghoghaha , Police
Station - Nasriganj , District - Rohtas

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Arun Kumar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2024 1. 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 the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 10 liters of liquor from Manoj Kumar and 40 liters of
liquor is alleged to have been thrown by a person who managed to
flee and 9.60 liters of liquor was recovered from a place behind the
shop of Umesh Sahu.

4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing was
recovered from his conscious possession and It is next submitted
that he came to be implicated at the instance of *Chowkidar* with
whom he is on an inimical term. It is also submitted that if the



Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 1,000/- (Rupees One Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Nasriganj P.S. Case No. 77 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 to.

(Satyavrat Verma, J)

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