

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28809 of 2024

Arising Out of PS. Case No.-197 Year-2023 Thana- EKANGARSARAI District- Nalanda

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Suraj Kumar son of Ravi Kumar Ram @ Ravi Mohan Prasad Resident of
Village- Ekangar Sarai, P.S.- Ekangar Sarai, Dist.- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Anil Kumar No. I, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-04-2024 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
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2022.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 2.625 liters of liquor from Ashirbad Utsav Hall.

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. It is further submitted that petitioner came to be implicated based on suspicion as he had gone to attend a birthday party in the said Hall where the liquor was recovered, when petitioner admittedly is 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 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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge, Vth-cum-Special Judge (Excise) Biharsharif, Nalanda in connection with Ekangar sarai P.S. Case No.197 of 2023, 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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