

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28573 of 2024

Arising Out of PS. Case No.-544 Year-2023 Thana- MINAPUR District- Muzaffarpur

Dr. Chotulal Prasad @ Chotelal Prasad S/o Late Krishnadev Prasad R/o Vill.-
Musalmani Chak, P.S.- Meenapur, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anish Kumar

For the Opposite Party/s : Mr. Arvind Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-04-2024 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 Sections 272, 273
IPC and Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 809.46 litres of liquor from a bush. 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 is accessible to public at
large and does not belong to the petitioner and he came to be
implicated at the instance of local person but the name of local
person who disclosed the name of the petitioner is not



mentioned in the F.I.R., which casts an aspersion on the case of the prosecution. It is also submitted that if the local person was aware of the involvement of the petitioner in the occurrence then why he or she has not informed the police prior to institution of the instant F.I.R., which further casts an aspersion on the case of the prosecution.

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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Minapur P.S. Case No.544/2023, 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 petitioner shall verify the criminal antecedents 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)

amit/-

U		T	
---	--	---	--

