

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33375 of 2024

Arising Out of PS. Case No.-751 Year-2023 Thana- HAJIPUR SADAR District- Vaishali

Ravi Sah @ Akshay Kumar son of Shashi Sah Resident of Village Subhai
Madan Chowk, P.S- Hajipur Sadar, Distt- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi

For the Opposite Party/s : Mr. Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 10-05-2024 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 offences punishable under Sections 353 and 504/34 of the
Indian Penal Code and Section 30(a) of the Bihar Prohibition and
Excise Act, 2018.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases.
4. Allegation is of recovery of 25 litres of liquor from the
house of Bablu Sah.
5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner and
has no concern or relation with Bablu Sah. It is further submitted that
petitioner came to be implicated at the instance of the Chawkidar



with whom petitioner is on an inimical term. It is next submitted that if the Chawkidar was aware of the involvement of petitioner in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution.

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

7. 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.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Hajipur Sadar P.S. Case No. 751 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than three cases in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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