

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33075 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

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Guddu Parwat SON OF RAJENDRA PARWAT RESIDENT OF VILLAGE-
SONWALIA, PS- BAIKUNTHPUR, DIST- GOPALGANJ

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Naresh Prasad, Advocate

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 08-05-2024 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 30(a)/41 of the Bihar Prohibition and Excise
(Amendment) Act, 2022 in connection with Baikunthpur P.S.
Case No.31 of 2024.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 470 liters of spirit from a bolero vehicle.



4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he is neither the owner nor the driver of the seized vehicle and he came to implicated based confessional statement of Pappu Singh 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 Additional Sessions Judge-XIII-cum-Special Judge Excise Court No.1, Gopalganj in connection with Baikunthpur P.S. Case No.31 of 2024, 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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