

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29671 of 2024

Arising Out of PS. Case No.-1093 Year-2023 Thana- SONEPUR District- Saran

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Anil Rai Son of Late Anandi Ray Resident of Vilage- Sabalpur Pachhiyari
Tola,P.S- Sonapur,Dist- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Mishra

For the Opposite Party/s : Ms.Gulnar Begum

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 20-04-2024 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 offences punishable under Sections 30(a), 32,
36 and 47 of the Bihar Excise Act and Sections 188, 420, 120B,
and 34 of the IPC.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of
recovery of 696.81 litres of liquor from a truck.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is neither the
driver nor the owner of the seized vehicle and he came to be
implicated based at the instance of informant, who is a police



officer. It is also submitted that it appears that the police, in order to save the real culprit, falsely implicated the petitioner taking advantage of his antecedent. It is next submitted that once an accused is implicated in a case relating to liquor, thereafter police implicates mechanically.

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. 10,000/- (Rupees Ten Thousand) 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 Sonapur P.S. Case No. 1093 of 2023 subject to the conditions as 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 antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than two cases, in that event the present anticipatory bail order shall not be



given effect to.

(Satyavrat Verma, J)

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