

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31115 of 2024

Arising Out of PS. Case No.-58 Year-2024 Thana- KOCHAS District- Rohtas

-
1. Saroj Kumar @ Saroj Ram Son Of Ganga Ram Village- Mamrejpur, P.S.- Kochas, Dist- Rohtas
 2. Tufani Ram @ Pramod Ram @ Pramod Kumar Son Of Sri Niwas Ram Village- Mamrejpur, P.S.- Kochas, Dist- Rohtas
 3. Yogendra Kumar Ram @ Yogendra Ram Son Of Mangla Ram Village- Mamrejpur, P.S.- Kochas, Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alexander Ashok
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-04-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 396 liters of liquor from a Tractor.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are neither the owner nor the driver of the seized Tractor. It is next submitted that



petitioners are on an inimical term with the *Chowkidar* and it appears that *Chowkidar* for ulterior reasons implicated them. It is also submitted that it absolutely does not stand to reason why the *Chowkidar* did not inform the police prior to institution of the instant FIR if he was aware of the involvement of the petitioner in the occurrence which casts an aspersion on the case of the prosecution.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 1,000/- (Rupees One Thousand) each 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 Kochas P.S. Case No. 58 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear the learned Trial Court before accepting the bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event if it is found that any of the petitioners has antecedent of even one case in that



event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Rishabh/-

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

