

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33659 of 2024

Arising Out of PS. Case No.-806 Year-2021 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Arvind Rai @ Arvind Kumar Son of Lalbabu Rai R/O Vill.- Pusta, P.S.-
Sadar, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 09-09-2024 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

Section 30(a) of the Bihar Prohibition and Excise Act in

connection with Sadar P.S. Case No.806 of 2021.
3. The learned counsel for the petitioner submits that

the petitioner has antecedent of two cases and allegation is of

recovery of 20.25 liters of liquor from a motorcycle.
4. It is next submitted that petitioner was not arrested

from the spot as such nothing was recovered from his conscious



possession and is not the owner of the seized motorcycle and he came to be implicated at the instance of local people, but then it is submitted that police in majority of the cases implicates either at the instance of the 'Chowkidar', local person, secret information or confessional statement in a mechanical manner without holding proper investigation.

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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Muzaffarpur in connection with Sadar P.S. Case No.806 of 2021, 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 two cases, 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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