

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33149 of 2024

Arising Out of PS. Case No.-128 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Munna Ram @ Munna Kumar, Son of Budhu Ram R/O Vill.- Ward No. 31,
Ambedkar Colony, Baswariya, P.S.- Town (Bettiah Nagar), Dist.- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Kumar Gupta
For the Opposite Party/s : Mr.Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 05-07-2024
1. Heard learned counsel for the petitioner and 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) and 41(1) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of four cases and the allegation is of recovery of 11 litres of liquor from a bag allegedly thrown by the accused persons.

4. The learned counsel for the petitioner submits that petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and was not even present at the place of occurrence and has no concern with the



bag and he came to be implicated based on confessional statement of Birendra Ram in police custody, which does not have any evidentiary value. It is next submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner taking advantage of his antecedents through Birendra Ram.

5. Learned A.P.P. 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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1, Bettiah, West Champaran in connection with Bettiah Nagar (Town) P. S. Case No.128 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 four cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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