

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33078 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- Excise P.S. District- Begusarai

=====

Sujit Kumar @ Sujeet Kumar S/O Dani Singh R/O Vill.- Simaria 01, Ward
no. 05, P.S.- Chakiya O.P., Dist.-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr.Suman Kumari Singh, APP

=====

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) of the Bihar Prohibition and Excise Act, 2018 in
connection Excise P.S. Case No.131 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of three cases and allegation is of
recovery of 15.55 liters of liquor from a sack alleged to be
thrown by the petitioner and 9 liters of liquor from possession of
Pintu Kumar.

4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and the sack from which the alleged recovery was made does not belong to the petitioner and he came to be implicated based on confessional statement of Pintu Kumar in police custody which does not have any evidentiary value. It is also submitted that it appears that the police taking advantage of the antecedent of the petitioner got him implicated through Pintu Kumar.

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.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court, IInd, Begusarai in connection with Excise P.S. Case No.131 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 three cases, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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

