

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37045 of 2024

Arising Out of PS. Case No.-192 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

1. Bullet Singh S/O Ranjit Singh R/O Vill- Salehpur, P.S- Bishambharpur, Distt.- Gopalganj.
2. Sujeet Singh S/O Wakil Singh R/O Vill- Salehpur, P.S- Bishambharpur, Distt.- Gopalganj.
3. Sunil Singh S/O Late Parsan Singh R/O Vill- Salehpur, P.S- Bishambharpur, Distt.- Gopalganj.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh
For the Opposite Party/s : Ms. Anita Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-06-2024 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 offence punishable under Sections 30(a) and 41 of Bihar Prohibition and Excise Amendment Act, 2022.

3. Learned counsel for the petitioners submits that petitioner no.1 is person with clean antecedent and petitioner no.2 and 3 have antecedent of two cases and allegation is of recovery of 306 litres of liquor from a sugarcane field. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and



even the alleged recovery is from a place, which does not belong to them and is accessible to public at large and they came to be implicated at the instance of local person but then the name of the person is not disclosed in the F.I.R., who disclosed the name of the petitioner, which casts an aspersion on the case of prosecution and it appears that the police in order to save the real culprit got the petitioners implicated taking advantage of their antecedents.

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

5. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten 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 Bishambharpur P.S. Case No.192/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the



criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent of even one case and the petitioner no.2 and 3 have 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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