

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.34259 of 2024**

Arising Out of PS. Case No.-14 Year-2023 Thana- KARAKAT District- Rohtas

Shankar Prasad @ Shiv Shankar Prasad S/o Late Dasarath Prasad R/o village  
Godani PS Karakat Godari District Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nagendra Upadhyay

For the Opposite Party/s : Mr. Ram Sevak Choudhary

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      30-07-2024      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered  
for the offence punishable under Section 30(a) of Bihar Prohibition  
and Excise Act, 2016.
3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 55 litres of liquor from a motorcycle of apprehended  
accused Surendra Singh and 10 litres of liquor from a motorcycle of  
apprehended accused Jitendra Kumar. It is next submitted that  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and he came to be  
implicated based on the fact that he is owner of one of the seized  
motorcycle. It is next submitted that no prudent person would use his  
own vehicle for committing an occurrence and thus would create



evidence against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that Jitendra would misuse his vehicle in the manner as alleged.

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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Karakat P.S. Case No.14/2023, 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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