

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36393 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- NATWAR District- Rohtas

Dhannu @ Dhanjee Singh @ Dhanjee Yadav, Son Of Sudarshan Singh
Village- Asiyan, Ps-Natwar Dist- Rohtas

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashutosh Tripathy

For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-06-2024 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 Section 30(a)
of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and the allegation is of
recovery of 20 litres of liquor from a place near Kali Temple.

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 even alleged
recovery is from a place, which does not belong to the petitioner
and is accessible to public at large and he came to be implicated at
the instance of Chaukidar with whom he is on an inimical term. It
is also submitted that if Chaukidar was aware of the involvement
of the petitioners in the occurrence, then why he did not inform the
police prior to institution of the present F.I.R., which cast an



aspersion on the case of the prosecution.

5. Learned A.P.P. Sri Rabindra Kumar opposes the 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 ten 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.2-cum- Additional District & Sessions Judge, Rohtas at Sasaram in connection with Natwar P. S. Case No.62 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 two cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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