

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36881 of 2024

Arising Out of PS. Case No.-156 Year-2024 Thana- BIKRAMGANJ District- Rohtas

Sanjay Singh @ Sanjay Kumar Singh Son of Late Dev Kumar Singh @ Deo
Kumar Singh Resident of Village and Post- Dharupur, P.S- Bikramganj,
District- Rohtas, Bihar -802212

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar

For the Opposite Party/s : Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 14-05-2024 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of
recovery of 29.940 litres of liquor from a *Purana mill*.

4. Learned counsel for the petitioner submits that the
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 the *Purana mill*.
It is next submitted that no prudent person would use his own



premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that as the name suggests that the mill was an old one and was not in used and the boundary wall from both sides had collapsed as stands specifically pleaded at para-6 of the anticipatory bail application. It is also submitted that it appears that someone inimical to the petitioner planted meagre amount of liquor in order to implicate the petitioner and his family members.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) 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 Bikramganj P.S. Case No. 156 of 2024, subject to the conditions as 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 antecedents of the petitioner and in the event if it is found that the petitioner has 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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