

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36817 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- SAKRA District- Muzaffarpur

Sonu Chaurasiya @ Sonu Kumar, S/O Shiv Kumar Bhagat R/O Village-Sarmastpur, P.S- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anish Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

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 Sections 30(a), 36 and 41(i)(ii) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of six cases and the allegation is of recovery of 936.375 litres of liquor from a pick-up van.
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 is neither the owner, nor the driver of the seized vehicle and he came to be implicated at the instance of Chaukidar with whom he is on an inimical term. It is also submitted that it appears that the Chaukidar in connivance with the police in order to save the real culprit falsely implicated the petitioner taking advantage of his antecedents.



5. Learned A.P.P. 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. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Muzaffarpur in connection with Sakra P. S. Case No.211 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 six cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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