

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37436 of 2024

Arising Out of PS. Case No.-462 Year-2023 Thana- PAHARPUR District- East Champaran

BINOD RAM SON OF DOMA RAM RESIDENT OF VILLAGE - KAMAL
PIPRA, P.S. - PAHARPUR, DISTRICT - EAST CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2024 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 the
Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 7 litres of liquor from
the cattle house of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and cattle house is a
place outside the house and is accessible to villagers at large as
such it appears that some one inimical to the petitioner planted
meager amount of liquor in the cattle house to implicate the



petitioner and his family members when petitioner admittedly petitioner is a person with clean antecedent. It is further submitted that if the Chawkidar was aware of the involvement of petitioner in the occurrence then why he did not inform the police prior to the institution of the instant FIR which casts an aspersion on the case of the prosecution as the name of the petitioner was disclosed by the Chawkidar.

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

7. 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 court below where the case is pending/successor court in connection with Paharpur P.S. Case No. 462 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and 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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