

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40756 of 2024

Arising Out of PS. Case No.-9 Year-2011 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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Suggi Nat @ Sunil Kumar Son of Fida Nat Resident of Village - Kesath, P.S.-
Nawanagar, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun Kumar Gupta
For the Opposite Party/s : Mr.Nityanand

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 02-07-2024 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 offences punishable under Sections 47(a) and
(f) of the Bihar Excise Act, 1915.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 72 litres of liquor along with 80 litres of jawa
mahua from the house of the petitioner.
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 the house in
question is a joint family property as such it cannot be alleged



with certainty that it was petitioner who had kept the liquor in the house or the liquor kept in the house within knowledge of the petitioner.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that the case is of the year 2011 and the instant anticipatory bail application has been filed in the year 2024, on which the learned counsel for the petitioner submits that petitioner was completely unaware of the pendency of the instant case and thereafter relies on the order-sheet of the case and submits that from perusal of the order-sheet, it would manifest that the summons for the first time came to be issued on 30-1-2024. It is next submitted that no doubt the summons initially was issued on 28-11-2011 but then the office never issued the summons as such the petitioner never received a summons, this perhaps explains why till date process under Sections 82 and 83 Cr.P.C has not been issued.

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. 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 Complain Case No. 9(0)/2011 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 even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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