

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40254 of 2024

Arising Out of PS. Case No.-351 Year-2022 Thana- ROHTAS District- Rohtas

Ramakant Singh Son of Chandrika Singh Yadav R/o Village- Taradih, P.S
Rohtas, District Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioner as well as
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 Bihar Prohibition and Excise Act in connection with Rohtas P.S. Case No.351 of 2022.

3. The learned counsel for the petitioner submits that petitioner has antecedent of one case, but inadvertently at para-3 it has been recorded that petitioner is a person with clean antecedent and allegation is of recovery of 375 ml of liquor from a motorcycle.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the motorcycle and he came to be implicated based on suspicion at the stage of supervision.



5. The learned APP for the State 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.5000/- (Rupees Five 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 Rohtas P.S. Case No.351 of 2022, subject to the conditions 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 antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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