

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39923 of 2024

Arising Out of PS. Case No.-858 Year-2023 Thana- PIRBAHOR District- Patna

Shlok Rai @ Ishlog Ray Son of Late Muni Lal Rai R/O Mahabir Lane, Naya Gaon, Gandhi Chouk, Musallapur, P.S.- Pirbahore, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Singh

For the Opposite Party/s : Ms. Shaheen Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2024 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018 & Sections 25(1-b)a, 26, 35 of the Arms Act.
3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 330 litres of liquor along with 3 live cartridges and a country made pistol from possession of Chotu Kumar. It is next submitted that 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 confessional statement of co-accused Chotu Kumar in police custody which does not have any evidentiary value, when petitioner admittedly is a person with clean antecedent.



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

5. 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 trial court where the case is pending/successor court in connection with Special Case No.1810/2023, arising out of Pirbahore P.S. Case No.858/2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. 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 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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