

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44749 of 2024

Arising Out of PS. Case No.-43 Year-2024 Thana- GOVINDPUR District- Nawada

Prahalad Chaudhary Son Of Mahesh Chaudhary Resident Of Village - Pipra,
Police Station - Govindpur, District - Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar

For the Opposite Party/s : Ms.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-07-2024 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) and 41 of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of three cases and the allegation is of recovery of 174 litres of liquor from three motorcycles.
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 not the owner of any of the seized vehicle and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.



5. Learned A.P.P. opposes the 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Judge-1st, Nawada in connection with Govindpur P. S. Case No.43 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 three cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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