

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40322 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- Excise P.S. District- Gopalganj

Raghunath Prasad Son of Late Prahlad Prasad Resident of Mohalla- Chandra
Gokhula Road, Ward no. 17, P.S.- nagar, Dist.- Gopalganj

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Dwivedi, Advocate
For the Opposite Party/s : Mr. Awadhesh Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2024 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3) Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 12.420 liters of liquor from a place adjacent to the
house of the petitioner allegedly thrown by his wife Amlawati.

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 even alleged
recovery is from a place which is adjacent to his house but then
does not belong to him and he came to be implicated merely on
suspicion as the recovery was from a place adjacent to his house



and the police forcefully got his wife confess about the participation of the petitioner in the occurrence.

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

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. 5,000/- (Rupees Five Thousand) 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 Gopalganj Excise P.S. Case No. 236 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7) However, it is made clear 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 to.

(Satyavrat Verma, J)

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