

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41873 of 2024**

Arising Out of PS. Case No.-81 Year-2024 Thana- WARISNAGAR District- Samastipur

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DHANANJAY SINGH SON OF AVADHESH SINGH R/O- VILLAGE-
DARSUR, P.S.- WARISNAGAR, DISTT.- SAMASTIPUR (BIHAR)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 04-07-2024 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

Sections 30(a) of the Bihar Prohibition and Excise Act in

connection with Waris Nagar P.S. Case No.81 of 2024.

3. The learned counsel for the petitioner submits that

the petitioner has antecedent of two cases and allegation is of

recovery of 1026.120 liters of liquor from a place near Bagmati

River.

4. It is next submitted that 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 accessible to public at large and he came to be implicated at the instance of local person, but then the name of the local person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution.

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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge (Excise)-02, Samastipur in connection with Waris Nagar P.S. Case No.81 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is further made clear that the learned trial court shall also verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two case, then also the present anticipatory bail order shall



not be given effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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