

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41806 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- ISLAMPUR District- Nalanda

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1. PRAMOD SAPERA SON OF BUDHU SAPERA VILLAGE- ICHAHOS TAKIYAPAR, P.S.- ISLAMPUR, DISTT.- NALANDA
 2. SONU SAPERA @ SONU KUMAR SON OF PRAMOD SAPERA VILLAGE- ICHAHOS TAKIYAPAR, P.S.- ISLAMPUR, DISTT.- NALANDA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Sinha
For the Opposite Party/s : Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehends their arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioner no.1 has antecedent of four cases and petitioner no.2 has antecedent of one case and allegation is of recovery of 40 liters of liquor from a place near a pond.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged



recovery is from a place which does not belong to the petitioners and is accessible to public at large and they came to be implicated at the instance of Chowkidar with whom they are is on an inimical term.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioner above-named, in the event of their 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. 20,000/- (Rupees Twenty 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 Islampur P.S. Case No. 81 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 petitioners shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioner no.1 has antecedent of more than four cases and petitioner no.2 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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