

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41834 of 2024

Arising Out of PS. Case No.-146 Year-2024 Thana- RAJAOLI District- Nawada

=====

Golu Kumar S/O Madan Lal R/O Village Baudhikala, P.S. Rajauli, Distt-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kshem Sharma, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

=====

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 Section 30(a) of the Bihar Prohibition and Excise Act, 2016 in connection with Rajauli P.S. Case No.146 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 7.5 liters of liquor from a place near Punnava mines on the bank of Dhanaraj 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 does not belong to the petitioner and is accessible to public at large and he came to be implicated at the instance of 'Chowkidar' with whom he is on inimical term. It is also submitted that police in majority of the cases implicates mechanically either at the instance of the Chowkidar or local person.

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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Nawada in connection with Rajauli P.S. Case No.146 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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 one case, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

