

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42448 of 2024

Arising Out of PS. Case No.-116 Year-2024 Thana- BAIRIYA District- West Champaran

Lalan Thakur, Son Of Late Jamuna Thakur Resident Of Village - Malahi Tola,
Police Station - Bairiya, District - West Champaran

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Amrit Kirti
For the Opposite Party/s : Mr.Akbar Ali

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 205-07-20241. 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 272, 273 and 34 of the I.P.C. and Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner is a person with antecedent and the allegation is of recovery of 7.200 litres of liquor from a mutton shop and 05 litres of liquor from an egg shop.
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 police in a mechanical manner implicated the petitioner, when petitioner is owner of the shop. It is also submitted that petitioner has rented the shop to Ashok Prasad, but then, police investigates the case mechanically. It is also submitted that petitioner on an inimical term with Chaukidar, as such, he also implicated.

5. Learned A.P.P. 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1st, Bettiah, West Champaran in connection with Bairiya P. S. Case No.116 of 2024, Special G.R. No.175 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 even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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