

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43213 of 2024

Arising Out of PS. Case No.-114 Year-2024 Thana- RANIGANJ District- Araria

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Pappu Sah @ Pappu Kumar Son of Late Satyanarayan Sah R/O Vill.-
Barbanna Raniganj , Ward no. 10, P.S.- Raniganj, Dist.- Araria

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 05-07-2024 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 Raniganj P.S. Case No.114 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 15 liters of liquor from the hotel of the petitioner and 1.125 liters of liquor from shop of Shakaldeo Yadav.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious



possession. It is next submitted that no prudent businessman would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated and at the same time would bring disrepute to his business. It is further submitted that it appears that some customer kept the liquor in the hotel and the petitioner came to be implicated based on secret information which is the easiest way to implicate someone.

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-I, Araria in connection with Raniganj P.S. Case No.114 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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