

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44426 of 2024

Arising Out of PS. Case No.-186 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Suraj Kumar S/o Ramesh Patel @ Ramesh Prasad R/o vill - Baswariya, ward
no. 29, Pashim Muhaala, P.S. - Bettiah Town Thana, Distt. - West Champaran,
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar
For the Opposite Party/s : Mr.Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 226-06-2024
1.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.
3.

Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 4.5 litres of liquor from a bag allegedly thrown by the
petitioner as disclosed by local people.
4.

Learned counsel for the petitioner submits that the
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 nor petitioner
has any concern with the bag from which liquor was recovered. It is



further submitted that he came to be implicated by the local people but then the FIR does not disclose the name of the person who disclosed the name of the petitioner, which casts an aspersion on the case of the prosecution.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Bettiah Town Thana P.S. Case No. 186 of 2024 subject to the conditions as 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 antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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