

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43056 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- BHANGWANPUR HAT District- Siwan

SUNIL KUMAR SINGH @ SUNIL SINGH SON OF LATE KANHAIYA
SINGH VILLAGE- MARACHHI, P.S.- BHAGWANPUR HAT, DISTT.-
SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

For the Opposite Party/s : Mr.Surendra Kumar, APP

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), 41(1) of the Bihar Prohibition and Excise Act in connection with Bhagwanpur Hat P.S. Case No.69 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 51.66 liters of liquor from two motorcycles.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the any of the seized motorcycles and he came to be implicated based on confessional statement of Golu in police custody which does not have any



evidentiary value.

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 Exclusive Special Excise Court No.I, Siwan in connection with Bhagwanpur Hat P.S. Case No.69 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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