

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44400 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- PARSA District- Saran

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Guddu Sahani @ Guddu Kumar Son of Late Singeshwar Sahani R/O Village-
Hasanpura Murahi, P.S.- Maker, Dist.- Saran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-07-2024 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 Sections 30(a), 32(3) and 41 of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of nine cases and allegation is of recovery
of 1250 liters of liquor from a boat.

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 is not the owner of the
seized boat and he came to be implicated at the instance of
Chowkidar with whom he is on an inimical term. It is also submitted
that earlier also the Chowkidar implicated him in false cases. It is
next submitted that if Chowkidar was aware of the involvement of
the petitioner in the occurrence then why he did not inform the police



prior to institution of the instant FIR which cast an aspersion on the case of the prosecution. It is thus submitted that it appears that the Chowkidar in order to save the real culprits falsely implicated the petitioner taking advantage of his antecedent.

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. 45,000/- (Forty Five Thousand) 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 Parsa P.S. Case No. 137 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C

7. However, it is made clear 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 nine cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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