

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49272 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- GOVINDPUR District- Nawada

Ravi Chaudhary, Son Of Late Shambhu Chaudhary Village- Govindpur Dih,
P.S.- Govindpur, Distt.- Nawada

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar
For the Opposite Party/s : Mr.Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 24-07-2024 1. 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 30(a) and 30(d) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and the allegation is of recovery of 100 litres of liquor along with 1600 litres of liquor of fermented jawa mahua from the cremation ground at bank of Sakari river.
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 even alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court-1, Nawada in connection with Govindpur P. S. Case No.94 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 more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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