

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46310 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- PIPRAKOTHI District- East Champaran

Pappu Sahani @ Pappu Kuar @ Papu Chaudhay @ Randhir Kumar S/o Late
Sakal Chaudhary @ Sakal Sahani R/o vill - Hathiyahi, P.S. - Pipra Kothi,
Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-07-2024 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 Sections 272, 273, 308 and 328 of the IPC and under Section 30(a) of the Bihar Prohibition and Excise Act, 2022 in connection with Kothi P.S. Case No.60 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of eight cases and allegation is of recovery of 37.5 liters of liquor from the land of a 'Matth'.

4. It is next submitted 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 at the instance of local people, but then the name of the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution. It is also submitted that it appears that the police in order to save the real culprits of the Matth implicated the petitioner taking advantage of his antecedent.

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.40,000/- (Rupees Forty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.01, East Champaran at Motihari in connection with Kothi P.S. Case No.60 of 2024, subject to the conditions 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 antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than eight cases, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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