

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44335 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- UCHKAGAON District- Gopalganj

OM PRAKASH SINGH SON OF LATE MARAI SINGH @ MADAI SINGH
VILLAGE- CHHOTKA SANKHE, P.O.- JAGARNATHA, P.S.-
UCHAKAGAON, DISTT.- GOPALGANJ, BIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Roy, Adv.
For the Opposite Party/s : Mr. Meena Singh, APP

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) and 30(b) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 513 liters of liquor from a place near the Kiln of Saheb Singh.
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 and is accessible to public at large and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term.
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. 10,000/- (Rupees Ten 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 Uchakagaon P.S. Case No. 112 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 two cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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