

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45557 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- SASARAM MUFFSIL District- Rohtas

Pintu Chaudhary @ Pintu Kumar Son of Parasnath Chaudhary @ Paras Chaudhary Resident of Village - Khanda, P.S.- Sasaram (Muffasil), District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Babu Nandan Prasad, Advocate

For the Opposite Party/s : **Ms. Sangeeta Sharma, A.P.P.**

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-07-2024

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 offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent.

4. Allegation is of recovery of 90 litres of liquor from a sack near the river.

5. 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 the alleged recovery is from a place which does not belong to the petitioner and is accessible to public at large. It is further submitted that petitioner came to be implicated at the instance of the Chawkidar with whom



he is on an inimical term. It is next submitted that it appears that Chawkidar in order to save the real culprits falsely implicated the petitioner for ulterior reason.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Sasaram (Mufassil) P.S. Case No. 236 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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