

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52326 of 2024

Arising Out of PS. Case No.-101 Year-2024 Thana- MIRGANJ District- Gopalganj

Mukul Sharma, Son of Algu Sharma Resident of Village - Narainiya, P.S.-
Mirganj, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Ranjan

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-08-2024 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 Section 414 of the I.P.C. and
Section 30(a) of the Excise Act.
- 3.The learned counsel for the petitioner
submits that the petitioner is a person with clean
antecedent and the allegation is of recovery of
274.680 litres of liquor from a white Santro car.
- 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 is not the owner of the seized vehicle and he came to be implicated at the instance of local person, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R. It is next submitted that police in majority of cases implicating innocent persons either at the behest of Chaukidar or local person. It is also submitted that who identified the petitioner, when petitioner resides at his place of address, which cast an aspersion of the case of the prosecution as implication appears to be mechanical.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned



Additional District & Sessions Judge-IV-cum-Exclusive
Special Excise Court, Gopalganj in connection with
Mirganj P. S. Case No.101 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 even one case, in that
event, the present anticipatory bail application
shall not be given effect to.

(Satyavrat Verma, J)

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