

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51704 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- NATIONAL HIGHWAY District-
Samastipur

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Chapru Sada @ Asharfi Sada Son of Late Pragas Das @ Ram Pragas Sada
R/o Village- Mahiuddinpur Rajwa, P.O.- Bangra, P.S.- N.H. Bangra, District-
Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Ramesh Chandra

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-08-2024 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
Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and allegation is of
recovery of 6 litres of liquor from hut of the petitioner. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and even
the hut situated behind the house of the petitioner, as such, it is
being alleged that the hut belongs to the petitioner. It is further
submitted that the police in a mechanical manner implicates
innocent person either at the instance of chowkidar or local



person without holding proper investigation.

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

5. 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 trial court where the case is pending/successor court in connection with N.H. Bangra P.S. Case No.39/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents 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 order shall not be given effect to.

(Satyavrat Verma, J)

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