

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50802 of 2024

Arising Out of PS. Case No.-317 Year-2023 Thana- TILAUTHU District- Rohtas

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PINTU KUMAR @ PINTU SAO @ YOGENDRA PRASAD S/O DURGA
SAO R/O VILLAGE- UTTAR PATTI, TILLOUTHU, P.S- TILLOUTHU,
DISTT.- ROHTAS (BIHAR).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 29-07-2024 1. 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
Section 30(a) of the Bihar Prohibition and Excise Act in
connection with Tilouthu P.S. Case No.317 of 2023.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of nine cases and allegation is of
recovery of 50 liters of liquor from a sack allegedly thrown by
petitioner.

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 he has no concern with the



sack and he came to be implicated at the instance of local villager, but then it is submitted police in majority of the cases implicates either at the instance of the Chowkidar or local person in a mechanical manner. It is also submitted that it appears that someone inimical to the petitioner falsely implicated him taking advantage of his antecedent with a view to save the real culprits.

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.45,000/- (Rupees Firty Five Thosuand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.2-cum-Additional District and Sessions Judge, Rohtas at Sasaram in connection with Tilouthu P.S. Case No.317 of 2023, 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 nine 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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