

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49741 of 2024

Arising Out of PS. Case No.-160 Year-2024 Thana- BARHARA District- Bhojpur

Jawala Singh SON OF Rana Pratap Singh Vill -Nathmalpur PS -Barhara Distt
-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-07-2024 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 Bihar Prohibition and Excise Act, 2022.

3. Learned counsel for the petitioner submits that petitioner has antecedent of four cases and allegation is of recovery of 85.5 litres of liquor from a motorcycle. It is next submitted 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 based on confessional statement of Paramjeet in police custody, which does not have any evidentiary value. It is also submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner through Paramjeet taking



advantage of his antecedent.

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.20,000/- (Rupees twenty 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 Barhara P.S. Case No.160/2024, 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 more than four cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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