

Arising Out of PS. Case No.-293 Year-2024 Thana- NAWADA District- Nawada

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... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhuti Ranjan Sonvadra, Advocate

For the Opposite Party/s : Mr.Md. Matloob Rab, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 26-07-2024 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 Sections 30(a) and 30(c) of the Bihar Prohibition and Excise Act in connection with Town (Nawada) P.S. Case No.293 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 6 litres of liquor along with 1500 litres of Mahua solution from a place near the canal.

4. Learned counsel for the petitioner submits that the



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 is accessible to public at large and does not belong to the petitioner. It is further submitted that he came to be implicated at the instance of local people but then the FIR does not disclose the name of the person who disclosed the name of the petitioner, which casts an aspersion on the case of the prosecution.

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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Nawada in connection with Town (Nawada) P.S. Case No.293 of 2024, 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 two 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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