

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51549 of 2024

Arising Out of PS. Case No.-164 Year-2023 Thana- VISHAMBHARPUR District- Gopalganj

LALSIBIN @ LALGI BIN SON OF RAMASHISH BIN RESIDENT OF
VILLAGE - BARAT PATTI MUSMAT TOLA, P.S. - YADOPUR, DISTRICT
- GOPALGANJ

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vyas Kumar Mishra

For the Opposite Party/s : Mr. Gauri Shankar Gupta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2024 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 414 of the Indian Penal
Code and Section 30(a) of Bihar Prohibition and Excise Amendment
Act, 2022.

3. Learned counsel for the petitioner submits that
inadvertently at para-3 it has been pleaded that petitioner is a person
with clean antecedent when he has antecedent of one case and
allegation is of recovery of liquor as detailed in the F.I.R. and
motorcycle were seized. 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 is not the owner of
any of the seized vehicles nor liquor was recovered from his



possession and he came to be implicated at the instance of local people. It is further submitted that police in majority of the cases implicates either at the instance of chowkidar or local person in a mechanical manner.

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.5000/- (Rupees five 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 Vishambharpur P.S. Case No.164/2023, 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 one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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