

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50962 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- VAISHALI District- Vaishali

SANOJ KUMAR @ SANOJ RAI SON OF BINDA RAI RESIDENT OF
VILLAGE - PHULADH, P.S. - VAISHALI, DISTRICT - VAISHALI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Advocate

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 30-08-2024 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), 32(2), 41(1) of the Bihar Prohibition and Excise
Act in connection with Vaishali P.S. Case No.60 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of eight cases and allegation is of
recovery of 98.265 liters of liquor from a Teak garden.

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 is accessible to public at large and he came to be implicated based on secret informant which is the easiest way to implicate someone. It is also submitted that police at times in order to save the real culprits falsely implicates with the aid of secret information. It is further submitted that once an accused is implicated in a case relating to excise the police starts implicating mechanically.

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. 40,000/- (Rupees Forty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Court No.II, Vaishali at Hajipur in connection with Vaishali P.S. Case No.60 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 eights cases, in that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

U		T	
---	--	---	--

