

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53873 of 2024

Arising Out of PS. Case No.-112 Year-2024 Thana- NAVINAGAR District- Aurangabad

Jugesh Chouhan @ Master, Son Of Madan Chauhan Resident Of Village -
Mahuari, P.S. - Nabinagar, District - Aurangabad, Pin - 824301

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Birendra Kumar Singh

For the Opposite Party/s : Mr.Anant Kumar 1

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-08-2024 1. Heard learned counsel for the petitioner and

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 Excise Act.
3. The learned counsel for the petitioner submits

that the petitioner is a person with clean antecedent and the

allegation is of recovery of 70 litres of liquor from a white

and yellow plastic sack found near Salya Mountain.
4. The learned counsel for the petitioner submits

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 at the instance of local person, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.1, Aurangabad in connection with Nabinagar P. S. Case No.112 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8. 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 even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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