

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.55263 of 2024**

Arising Out of PS. Case No.-84 Year-2024 Thana- DORIGANJ District- Saran

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Bhukhal Sah @ Ajay Sah S/o Daroga Sah R/o vill - Singhi Madan Patti, P.s. -  
Doriganj, Distt. - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sanjeet Kumar Singh

For the Opposite Party/s : Mr.Md. Anzarul Haque Sahara

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**

ORAL ORDER

2      07-08-2024                      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  
Section 30(a) of the Bihar Prohibition and Excise Act in  
connection with Doriganj P.S. Case No.84 of 2024.

3. The learned counsel for the petitioner submits that  
the petitioner is a person with clean antecedent and allegation is  
of recovery of 20 liters of liquor from Rajo Baba Ghat.

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 at the instance of Chowkidar. It is also submitted that it absolutely does not stand to reason that how Chowkidar identified him when he is not known to the Chowkidar.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned 3<sup>rd</sup> Exclusive Special Excise Judge, Saran at Chapra in connection with Doriganj P.S. Case No.84 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 even one case, 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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