

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53943 of 2024

Arising Out of PS. Case No.-67 Year-2024 Thana- GOPALPUR District- Gopalganj

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PRAHLAD RAI @ PRAHALAD KUMAR SINGH S/O SACHIDANAND
RAI R/O VILLAGE- AHIRALI DUBAULI, P.S- GOPALPUR, DIST.-
GOPALGANJ.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate
For the Opposite Party/s : Mr.Nityanand, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-08-2024 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 Gopalpur P.S. Case No.67 of 2024.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 25.400 liters of liquor from a bag carried by Sunil
and 1156.860 liter of liquor from a pick up.



4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is not the owner of the seized vehicle and he came to be implicated based on confessional statement of Sunil in police custody which does not have any evidentiary value.

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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV-cum-Special Judge Excise Court No.II, Gopalganj in connection with Gopalpur P.S. Case No.67 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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