

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56931 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- RAJAOLI District- Nawada

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1. Guddu Kumar S/O Vijay Prasad @ Vijay Prasad Yadav R/O Village-Dhamni, P.S- Rajouli, Distt.- Nawada.
 2. Ravindar Kumar @ Ravindra Kumar S/O Sahdeo Yadav R/O Village- Dhab, P.S- Rajouli, Distt.- Nawada.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manmohan Kumar

For the Opposite Party/s : Ms. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Amendment Act, 2016.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 30 litres of liquor from Bagmari ground and a glamour motorcycle was seized. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a place which does not belong to the



petitioners and is accessible to public at large and are not the owners of the seized vehicle and they came to be implicated at the instance of chowkidar. It is also submitted that police in majority of the cases implicates either at the instance of chowkidar, local person, secret information or confessional statement without holding proper investigation in a mechanical manner.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

5. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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.500/- (Rupees five hundred) each 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 Rajouli P.S. Case No.198/2024, 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is



found that petitioners have 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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