

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56536 of 2024

Arising Out of PS. Case No.-145 Year-2024 Thana- PARANDABAR District- Nawada

1. Santosh Sao @ Verma @ Santosh Kumar Verma S/o- Suresh Sao @ Suresh Prasad Verma @ Suresh Prasad Village- Rajaundh Ps- Sirdalla Parnadawar Dist- Nawada
2. Pradeep Rajbanshi son of Jago Rajbanshi Village- Baluatari Ps- Parnadawar Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

- 2 09-08-2024 1. Heard learned counsel for the petitioners as well as learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 30(a), 41 of the Bihar Prohibition and Excise Act in connection with Parnadawar P.S. Case No.145 of 2024.
3. The learned counsel for the petitioners submit that the petitioners are person with clean antecedent and the allegation is of recovery of 5.5 liters of liquor from possession of Rohit and 60 liters of liquor from a motorcycle.



4. 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 Rohit with whom they have no concerned and are not the owner of the seized motorcycle and they came to be implicated based on confessional statement of Rohit 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 petitioners, the petitioners above-named, in the event of their 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 Exclusive Special Excise Judge,Ist, Nawada in connection with Parnadawar P.S. Case No.145 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 petitioners shall verify the criminal antecedent 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.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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