

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58406 of 2024

Arising Out of PS. Case No.-931 Year-2024 Thana- Excise P.S. District- Muzaffarpur

Tuntun Rai Son of Late Murali Rai Resident of village - Purani Bazar,
Motipur, P.S.- Motipur, District - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 14-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30(a) and 32(3) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of twelve cases and allegation is of
recovery of 102.06 liters of liquor from a Car.
4. Learned counsel for the petitioner submits 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 car and he came to be implicated based on secret information
which is the easiest way to implicate someone. It is also submitted
that police, in majority of the cases, implicates accused either at the
instance of *Chowkidar*, local people, secret information or



confessional statement in a mechanical manner without holding proper investigation. It is next submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner in the present case as he has been implicated in other 12 cases.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 60,000/- (Rupees Sixty Thousand) 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 Excise P.S. Case No. 931 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 more than twelve cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

