

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59435 of 2024

Arising Out of PS. Case No.-175 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Lalan Singh Son of Udan Singh Resident of Vill- Dumrikalan Gachhi Tola,
P.S.- Majorganj, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 20-08-2024 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 414 of the IPC and Sections 30(a), 32(i)(ii), 41, 42(i)(ii) of the Bihar Prohibition and Excise Act in connection with Majorganj P.S. Case No.175 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 18 liters of liquor from a Tata Pickup vehicle.

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 at the instance of Chowkidar. It is next submitted police in majority of the cases implicates either at the instance of the 'Chowkidar', local person, secret information or confessional statement in a mechanical manner without holding a proper investigation.

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 Exclusive Special Excise Court No.01, Sitamarhi in connection with Majorganj P.S. Case No.175 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 more than 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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