

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58063 of 2024

Arising Out of PS. Case No.-106 Year-2024 Thana- DORIGANJ District- Saran

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Golu Kumar @ Golu Rai @ Subash Rai @ Suresh Rai son of Barkha rai
village- Chhota Telpa, Ps- Town, Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh

For the Opposite Party/s : Mr. Damodar Prasad Tiwary

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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 offence punishable under Section 30(a) of
Bihar Prohibition and Excise Amendment Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases and allegation is of
recovery of 60 litres of liquor from a motorcycle and 8 litres of
liquor from possession of Aakash. 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 Chandan in police custody, which
does not have any evidentiary value.



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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.15000/- (Rupees fifteen 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 Doriganj P.S. Case No.106/2024, 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than three cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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