

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59969 of 2024

Arising Out of PS. Case No.-187 Year-2024 Thana- PANAPUR District- Saran

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1. Rinku Devi W/o Mantoo Singh R/o Village- Harakh Pakri, P.O- Satjora Bazar, P.S- Panapur, District- Saran at Chapra
 2. Mantoo Singh S/o Baijnath Singh R/o Village- Harakh Pakri, P.O- Satjora Bazar, P.S- Panapur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jeetendra Narayan

For the Opposite Party/s : Mr. Ramchandra Sahni

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-08-2024 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, 2022.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of four case and petitioner no.1 is a woman and allegation is of recovery of 3.24 litres of liquor from a place near the house of petitioner no.2. 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 villagers It is further submitted that the alleged recovery is from a place which is accessible to public at large and they came to be implicated at the instance of local people. 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.20,000/- (Rupees twenty thousand) 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 Panapur P.S. Case No.187/2024, 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 petitioner no.1 has antecedent of more than one case and petitioner no.2 has antecedent of more than four cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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