

Arising Out of PS. Case No.-124 Year-2024 Thana- KARJA District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Nitu Kumari
For the Opposite Party/s : Mr.Md. Iftekhar Mahmood

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-08-2024 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 Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of six cases and allegation is of recovery of 519.750 litres of liquor from a pickup vehicle.

4. Learned counsel for the petitioner submits that the 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 witnesses who claim to have recognised the



petitioner. It is next submitted that in majority of the cases, the police, in a mechanical manner, implicates either at the instance of Chowkidar, local person, secret information and confessional statement. It is next submitted that once a person is implicated in a case relating the excise, the police starts implicating mechanically at times with a view to save real culprits.

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. 30,000/- (Rupees Thirty 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 Karja (Karza) P.S. Case No. 124 of 2024 subject to the conditions as 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 antecedents of the petitioner and in the event if it is



found that the petitioner has antecedent of more than six cases,
in that event the present anticipatory bail order shall not be
given effect to.

(Satyavrat Verma, J)

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