

Arising Out of PS. Case No.-90 Year-2024 Thana- PANDAUL District- Madhubani

- Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr.Subhash Kumar Jha
For the Opposite Party/s : Mr.Anand Kishore Choudhary

2 31-08-2024 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 offences punishable under Sections 30(a), 30(c), 30(d), 30(f), 41(1) of the Bihar Excise Act and Sections 272, 273 and 34 of Indian Penal code.

3. Learned counsel for the petitioners submits that the petitioners have antecedent of one case and allegation is of recovery of 3.24 litres of liquor from the house of Nitish Thakur.

4. Learned counsel for the petitioners submits that the



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 they came to be implicated at the instance of local people, but then it is 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 without holding a proper investigation.

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

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Pandaul P.S. Case No. 90 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 petitioners shall verify the



criminal antecedents of the petitioners and in the event if it is found that the petitioners have more than one antecedent, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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