

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58939 of 2024

Arising Out of PS. Case No.-309 Year-2024 Thana- FATUA District- Patna

Satyendra Thakur S/o Bachchu Thakur R/o Village- Machhariyawan, PS-
Fatuha, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Rai Sharma, Advocate

For the Opposite Party/s : Mr.Arun Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 19-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Section 30(a)
of the Bihar Prohibition and Excise Act in connection with
Fatuha P.S. Case No.309 of 2024.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 20 liters of liquor near the house of the petitioner.

It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and even alleged recovery is from a place which
does not belong to the petitioner and is accessible to villagers at
large, but then is adjacent to his house and he came to be
implicated at the instance of local person, but then the name of



the person who disclosed the name of the petitioner is not disclosed in the FIR, which cast an aspersion on the case of the prosecution.

The learned APP for the State opposes the anticipatory bail application.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, Excise, Patna City, Patna in connection with Fatuha P.S. Case No.309 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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 even one case, in that event, the present anticipatory bail order shall not be given effect.

The application stands allowed.



(Satyavrat Verma, J)

Prakash Narayan

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