

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59971 of 2024

Arising Out of PS. Case No.-127 Year-2024 Thana- CHENARI District- Rohtas

1. Sintu Paswan @ Prem Kumar S/o- Sudarshan Paswan Resident of Village-
Nayakpur PS- Chenari District- Rohtas
2. Munna Dusadh son of Chaturgun Dusadh Village- Maghiyawan Ps- Sabar
Kaimur, Dist- Kaimur at Bhabua

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Siddharth Harsh

For the Opposite Party/s : Mr. Akshay Lal Pandit

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 Act.
3. Learned counsel for the petitioners submits that
petitioners are persons with clean antecedent and allegation is of
recovery of 50 litres of liquor from a motorcycle. It is next submitted
that petitioners were not arrested from the spot as such nothing was
recovered from their conscious possession and petitioner no.2 came
to be implicated based on the fact that he is owner of the seized
motorcycle. It is next submitted that no prudent person would use his
own vehicle for committing an occurrence and thus would create



evidence against himself and hence would get implicated. It is also submitted that the petitioner no.1 came to be implicated based on confessional statement of Sikandar 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 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.500/- (Rupees five hundred) 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 Chenari P.S. Case No.127/2024, 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 petitioners have antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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