

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64954 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- WARISNAGAR District- Samastipur

-
1. Bikas Mandal Son of Sushil Mandal @ Baleshwar Mandal R/V- Village-
Basantpur Ramani, P.S.- Warisnagar, Distt.- Samastipur
 2. Bishnu Mandal Son of Arjun Madal R/V- Kishanpur Baikunth, P.S.-
Warisnagar, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the Opposite Party/s : Ms. Meena Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 23-09-2024 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 the Bihar
Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioners submits that
petitioners have antecedent of one case.
4. Allegation is of recovery of 1026.120 litres of liquor
from a place near the bank of a river.
5. Learned counsel for the petitioners submits that
petitioners were not arrested from the spot, as such, nothing was
recovered from their conscious possession and even the alleged
recovery is from a place which does not belong to the petitioners and
is accessible to public at large. It is further submitted that petitioners



came to be implicated based on the secret information which is the easiest way to implicate someone. It is next submitted that police at times take aid of secret information to implicate innocent persons in order to save the real culprits.

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

7. Considering the submissions made by the learned counsel for the petitioners, let 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.5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Warisnagar P.S. Case No. 81 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioners, shall verify the criminal antecedent of the petitioners and if it is found that petitioners have antecedent of more than one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

