

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60935 of 2024

Arising Out of PS. Case No.-175 Year-2024 Thana- MAJORGANJ District- Sitamarhi

Mukesh Patel Son of Chandeshwar Patel Resident of Village - Rusulpur,
Rasulpur, P.S. - Megorganj, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Kumar Mishra, Advocate

For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 23-08-2024 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 30(a), 32(i)(ii), 41, 42(i)(ii) of the Bihar Prohibition and Excise Act in connection with Majorganj P.S. Case No.175 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of nine cases and allegation is of recovery of 1818 liters of liquor from a Pickup Van.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious



possession and is not the owner of the pickup van and he came to be implicated based on secret information which is the easiest way to implicate someone and at times to save the real culprits. It is also submitted that once a person is implicated in a case relating to liquor, in that event the police starts implicating mechanically.

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

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 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.45,000/- (Rupees Forty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Sitamarhi in connection with Majorganj P.S. Case No.175 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 more than nine cases, in



that event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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