

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63044 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- BAIKUNTHPUR District- Gopalganj

Amod Mishra son of Banshidhar Mishra @ Vanshidhar Mishra R/O- Revtith,
P.S- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate
For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2024 1. 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 Section 30(a) of the Bihar Prohibition and Excise Act in connection with Baikunthpur P.S. Case No.40 of 2024.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 12.6 liters of liquor from a sack.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and has no concern with the sack in question from which the liquor is alleged to have been recovered and he came to be implicated at the instance of Chowkidar with whom he is on an inimical term.



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.5000 /- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge,XIII-cum-Special Excise Court No.I, Gopalganj in connection with Baikunthpur P.S. Case No.40 of 2024, subject to the conditions 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 petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of more than one case, 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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