

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60422 of 2024

Arising Out of PS. Case No.-399 Year-2023 Thana- DAUDPUR District- Saran

Bablu Singh @ Bablu Kumar Singh Son of Shankar Singh Village- Gadhwa,
P.S.- Daudpur, Dist.- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narendra Kumar
For the Opposite Party/s : Mr. Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-08-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 60.48 litres of liquor from a motorcycle. 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 seized vehicle and he came to be implicated at the instance of chowkidar. It is further submitted that it absolutely does not stand to reason that how the chowkidar identified the petitioner when he is not known to him and is a



person with clean antecedent.

4. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees five hundred) 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 Daudpur P.S. Case No.399/2023, 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 petitioner shall verify the criminal antecedents 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 to.

7. Today 40 cases relating to excise were taken up. In 40 cases, there were 48 petitioners, out of which, 32 petitioners were persons with clean antecedent. Further, in 21 cases, the



recovery is less than 30 litres of liquor, further in 5 to 6 cases, the recovery was in between 1 litre to 10 litres, as such, the total amount of liquor alleged to have been seized is 12001.08 litres of liquor and 785 litres of mixture of jaggery and Chhoha, as such, the total recovery is 12786.08.

(Satyavrat Verma, J)

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