

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61775 of 2024

Arising Out of PS. Case No.-50 Year-2024 Thana- Raghunathpur District- East Champaran

Vishal Sahani @ Vishal Kumar Son of Daroga Sahani Resident of Village-
Raghunathpur, P.S.- Raghunathpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-08-2024 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 offences punishable under Section 30(a) of
the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of one case and allegation is of
recovery of 3 litres of liquor from a sack allegedly thrown by
the petitioner.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even alleged
recovery is from a place which does not belong to the petitioner



and petitioner has no concern with the sack in question. It is next submitted that he came to be implicated at the instance of local villager, but then it is also submitted that in majority of the cases, the police, in a mechanical manner, implicates either at the instance of Chowkidar, local person, secret information and confessional statement without holding a proper investigation.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) 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 Raghunathpur P.S. Case No. 50 of 2024, subject to the conditions as 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 antecedents of the petitioner and in the event if it is



found that the petitioner has antecedent of more than one case,
in that event, the present anticipatory bail order shall not be
given effect to.

(Satyavrat Verma, J)

SUMIT/-

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

