

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63597 of 2024

Arising Out of PS. Case No.-200 Year-2024 Thana- JOKIHAT District- Araria

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1. Golu Sah @ Golu Kumar Sah Son of Sant Lal Sah R/o vill - Darshana Ward No. 1, P.S. - Jokihat, Distt. - Araria
 2. Bikram Gupta @ Bikram Kumar S/o Laxmi Lal Gupta @ Laxman Prasad Gupta R/o vill - Chakai, P.S - Jokihat, Distt. - Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Ranjan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 03-09-2024 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 offences punishable under Section 414 of the Indian Penal Code and Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.

4. Allegation is of recovery of 9.750 litres of liquor from a motorcycle.

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 are not the owner of the seized vehicle. It is further submitted that petitioners came to be



implicated based on the secret information which is the easiest way to implicate someone, when petitioners admittedly are persons with clean antecedent.

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.500/- (Rupees Five Hundred) 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 Jokihat P.S. Case No. 200 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 even one case in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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