

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 62172 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- PAROO District- Muzaffarpur

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Arun Rai Son of Pramanand Rai R/O Vill.- Mathihani, P.S.- Paroo, Dist.-
Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Priyesh Kumar, Advocate

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 02-09-2024 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 Paroo P.S. Case No.236 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and allegation is of
recovery of 648 liters of liquor from the field of Dinesh Rai.

4. It is next submitted that 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 is accessible to public at large and he came to be implicated at the instance of Chowkidar, but then it is submitted that police in mechanical manner implicates at the instance of the 'Chowkidar', local person, secret information or confessional statement without holding proper investigation.

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. 10,000 /- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No.II, Muzaffarpur in connection with Paroo P.S. Case No.236 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 two 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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