

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62194 of 2024

Arising Out of PS. Case No.-235 Year-2024 Thana- KARAKAT District- Rohtas

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Gorakh Chaudhary @ Gorakh Pasi Son of Late Fagu Chaudhary @ Late
Phagu Pasi Resident of Village - Raghunathpur Bal, P.S.- Karakat, District -
Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwari, Advocate

For the Opposite Party/s : Mr.Dr. Kumar Uday Pratap, 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
Sections 30(a) of the Bihar Prohibition and Excise Act in
connection with Karakat P.S. Case No.235 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 08 liters of liquor from a place behind the house
of the petitioner.

4. It is next submitted that petitioner was not arrested



from the spot as such nothing was recovered from his conscious possession and he came to be implicated at the instance of local people, but then it is submitted police in mechanical manner implicates either 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Rohtas at Sasaram in connection with Karakat P.S. Case No.235 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 even 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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