

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63640 of 2024

Arising Out of PS. Case No.-338 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Prabhu Singh @ Prabhu Nath Singh son of Ganesh Prasad Singh @ Ganesh Singh Village - Balthi Narsingh, P.S. - Sahebganj (Rajepur OP), Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awnish Kumar

For the Opposite Party/s : Md. Aslam Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-09-2024 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 Sections 147, 148, 149, 341, 323, 307, 353, 332, 333, 427, 504 and 506 of the Indian Penal Code and 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 24.36 litres of liquor from a place behind the house of Amrendra Singh.

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 is accessible to public at large and does not belong to the petitioner. It is next submitted that he has no concern with Amrendra Singh but then the informant alleges that on information, Amrendra was apprehended when Ashok Singh along with 25-30 persons came at the place of occurrence variously armed with lathi, danda and bricks and attacked the police party on account of which police force was injured and miscreants were identified by the Chowkidar. It is next submitted that Amrendra was never arrested from the place of occurrence rather in order to give seriousness to the case, it is alleged that Amrendra was freed by the accused persons including the petitioner but then it is submitted that a ruckus was created at the place of occurrence where the petitioner resides as such he also came out of his house to witness the ruckus when he came to be implicated by the Chowkidar with whom he is on an inimical term.

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 Sahebganj P.S. Case No. 338 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)

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