

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67431 of 2024**

Arising Out of PS. Case No.-99 Year-2024 Thana- SRINAGAR District- West Champaran

1. Partal Nat Son of Chnar Nat Village -Baghambarpur, PS- Patjirwa, District -West Champaran
2. Firoj Nat Son of Partal Nat Village -Baghambarpur, PS- Patjirwa, District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Anand

For the Opposite Party/s : Mr. Mukesh Kumar Singh

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      18-09-2024                      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 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that petitioner no. 1 has antecedent of one case and petitioner no. 2 has antecedent of two cases and allegation is of recovery of 6 liters of liquor from the hut of petitioner and from a place beside a hand pump.

4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession and the hut does not belong to the petitioner, but then police in a mechanical manner implicated them without holding a proper investigation. It is also submitted that police in majority of the case implicates in a mechanical manner. It is next submitted that once an accused is implicated in a case relating to excise, the police starts implicating. It is further submitted that the recovery was made from a place near a hand pump with which petitioners have no concern.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 10,000/- (Rupees Ten Thousand) each 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 Srinagar P.S. Case No. 99 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the learned Trial



Court before accepting the bail bonds of the petitioners shall verify their criminal antecedent of the petitioners and in the event if it is found that petitioner no. 1 has antecedent of more than one case and petitioner no. 2 has antecedent of more than two cases in that event, the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

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