

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65327 of 2024

Arising Out of PS. Case No.-333 Year-2024 Thana- BARHARIA District- Siwan

Munna Sah Son of Sheoshankar Sah Resident of Village - Nabiganj, P.S.-
Barharia, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramchandra Sahni, Advocate

For the Opposite Party/s : Ms.Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 10-09-2024 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 Barharia P.S. Case No.333 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 106.5 liters of liquor from two motorcycles and
24 liters of liquor from a sack found in front of 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 is not the owner of the seized motorcycle nor the alleged recovery is from a place which belongs to him, rather is adjacent to his house and he came to be implicated based on secret information which is the easiest way to implicate some when petitioner admittedly is a person with clean antecedent.

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 Excise Court No.1, Siwan in connection with Barharia P.S. Case No.333 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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