

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66042 of 2024

Arising Out of PS. Case No.-246 Year-2024 Thana- MAHNAR District- Vaishali

Chunchun Kumar Son of Saturdhan Rai R/O Vill. and Post- Narayanpur
Dedhpura, P.S.- Mahnar, Dist.- Vaishali, Pin- 844505

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-09-2024 1. Heard learned counsel for the petitioner and
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.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of two cases and allegation is of
recovery of 142.38 liters of liquor from house of Manoj Rai.

4. It is next submitted that the petitioner was not
arrested from the spot and 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 he came to be
implicated at the instance of *Chowkidar*. It is next submitted
that police in majority of the case implicates either at the



instance of *Chowkidar*, local persons, secret information or confessional statement in a mechanical manner 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 Excise Judge-2nd, Vaishali at Hazipur in connection with Mahnar P.S. Case No. 246 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.



Sudhanshu/-

(Satyavrat Verma, J.)

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