

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67461 of 2024

Arising Out of PS. Case No.-72 Year-2024 Thana- KRISHNAGARH District- Bhojpur

1.

Akalu Singh Son of Birendra Singh @ Virendra Singh @ Shi Birendra Singh
R/o Village- Piparpati, P.S.- Krishnagar, District- Bhojpur
2.

Tuna Singh @ Tunna Singh Son of Harihar Singh R/o Village- Piparpati,
P.S.- Krishnagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar

For the Opposite Party/s : Mr. Sanjay Kumar

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 offence punishable under Section 30(a) of Bihar
Prohibition and Excise (Amendment) Act, 2022.

3.

Learned counsel for the petitioners submits that
petitioner no.1 is a person with clean antecedent and petitioner no.2
has antecedent of one case and allegation is of recovery of 72.3 litres
of liquor from bank of river Ganga. It is next submitted that
petitioners were not arrested from the spot as such nothing was
recovered from their conscious possession and even alleged recovery
is from a place which does not belong to the petitioners and is
accessible to public at large and they came to be implicated at the



instance of chowkidar with whom they are on an inimical term.

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

5. 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 Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.5000/- (Rupees five 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 Krishnagarh P.S. Case No.72/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that petitioner no.1 has antecedent of even one case and petitioner no.2 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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