

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68998 of 2024

Arising Out of PS. Case No.-94 Year-2024 Thana- Jaitpur District- Muzaffarpur

Suresh Rai @ Suresh Ray @ Suresh Kumar @ Suresh Kumar Rai Son of
Bake Rai Resident of village- Ginjas, Ps- jaitpur, Dist- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar
For the Opposite Party/s : Mr. Md. Nazir Ansari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 225-09-2024
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 offence punishable under Sections 274, 275, 3(5) of the B.N.S. and Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and allegation is of recovery of 182.250 litres of liquor from premises of Rajkumari Devi. It is next submitted that 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 does not belong to the petitioner and he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that police in majority of the cases implicates either at the instance of chowkidar, local person, secret information or confessional statement



without holding proper investigation in a mechanical manner and at times to save the real culprit.

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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten 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 Jaitpur P.S. Case No.94/2024, 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 petitioner shall verify the criminal antecedents 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 to.

(Satyavrat Verma, J)

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