

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68646 of 2024

Arising Out of PS. Case No.-229 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

Ram Sanyog Rai Son of Kari Ray R/o Village- Rain Vishuni, P.S.-
Runnisaidpur, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat

For the Opposite Party/s : Mr. Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 21-09-2024 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 offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases as pleaded in the
supplementary affidavit and allegation is of recovery of 571.32
liters of liquor from hut of Murari Jha.

4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner
and he came to be implicated at the instance of local people, but
then it is submitted that police in majority of the cases implicates



accused persons either at the instance of *Chowkidar*, local person, secret information or confessional statement in a mechanical manner without holding a proper investigation.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Runnisaipur P.S. Case No. 229 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 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 to.

(Satyavrat Verma, J)

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