

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72571 of 2024

Arising Out of PS. Case No.-198 Year-2024 Thana- SANGRAMPUR District- East
Champaran

Mantu Tiwari Son of Late Bhupendra Tiwari @ Nayan Tiwari R/O- Sihorwa
Pandey Tola, P.S.- Sangrampur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar
For the Opposite Party/s : Mr. Kumar Ranjit Ranjan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-10-2024 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 Section 30(a) of
Bihar Prohibition and Excise Amendment Act.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of six cases as stated in the
supplementary affidavit and allegation is of recovery of 526.95
litres of liquor from the house of Ajay Ram. 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
nor he has any concern with Ajay Ram 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 either at the instance of chowkidar, local person, secret information or confessional statement without holding proper investigation in a mechanical manner. It is also submitted that once an accused is implicated in a case relating to excise the police starts implicating mechanically 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.30,000/- (Rupees thirty 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 Sangrampur P.S. Case No.198/2024, 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 six cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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