

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71973 of 2024

Arising Out of PS. Case No.-134 Year-2024 Thana- Ramgarh Chowk District- Lakhisarai

PREM SINGH @ MATAL SINGH @ MANTAL SINGH @ PREM KUMAR
S/o- JAGDAMBI SINGH @ JAGDAMBA SINGH R/o Village- Garsanda PS
- Ramgarh Chowk Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-10-2024 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 the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases.

4. Allegation is of recovery of 6.750 litres of liquor
from the cowshed of the petitioner.

5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and cow shade is a
place outside the house and is accessible to villagers at large. It
is further submitted that no prudent person would use his own



premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that it appears that someone inimical to the petitioner planted meager amount of liquor in the cowshed with a view to implicate him and his family members and thus he came to be implicated based on secret information which is the easiest way to implicate someone.

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

7. Considering the submissions made by the learned counsel for the petitioner, let 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 court below where the case is pending/successor court in connection with Ramgarh Chowk P.S. Case No. 134 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and 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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