

Arising Out of PS. Case No.-21 Year-2022 Thana- JAHANABAD District- Jehanabad

1. Kariya Bela @ Karika Baila @ Karu Bhagat @ Satyendra Bhagat S/o Late Pyare Bhagat Resident of Village- South Daulatpur, Mathiyapar, P.S. Jehanabad, District- Jehanabad,
2. Arvind Mistry S/o Doman Mistry Resident of Village- South Daulatpur, Mathiyapar, P.S. Jehanabad, District- Jehanabad,
3. Ruba Paswan @ Rohit Kumar @ Rohit Paswan S/o Neelam Paswan Resident of Village- South Daulatpur, Mathiyapar, P.S. Jehanabad, District- Jehanabad,
4. Dharmendra Pandit @ Ravindra Kumar S/o Late Kanhai Pandit Resident of Village- South Daulatpur, Mathiyapar, P.S. Jehanabad, District- Jehanabad,
5. Bhoma Pal @ Uday Bhagat S/o Bichare Bhagat @ Umesh Bhagat Resident of Village- South Daulatpur, Mathiyapar, P.S. Jehanabad, District- Jehanabad,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Man Mohan Kumar
For the Opposite Party/s : Ms.Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2024 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 offences punishable under Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are persons with clean antecedent and allegation is of recovery of 335 litres of liquor from a place near bank of a river.



4. Learned counsel for the petitioners submits that the 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. It is next submitted that they came to be implicated based on confessional statement of Ganesh Sao in police custody which does not have any evidentiary value, when admittedly petitioners are persons with clean antecedent.

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

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Jehanabad P.S. Case No. 21 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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 the petitioners have antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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