

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12432 of 2024

Arising Out of PS. Case No.-442 Year-2023 Thana- GORAUL District- Vaishali

Munna Kumar S/O-Ravindra Singh Resident of village pirapur mathura,P.S.
GORUL, DIST-VAISHALI.

... .. Petitioner/s
Versus
The State Of Bihar
... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr.Anish Kumar
For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 208-04-2024
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 the petitioner is a person with clean antecedent and allegation is of recovery of 63 litres of liquor from a banana plantation of Ram Prit Singh.
4.

Learned counsel for the petitioner submits that the 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 is accessible to public at large and does not belong to the petitioner. It is next submitted that he



came to be implicated at the instance of local people. It is also submitted that in majority of the cases, the police, in a mechanical manner, is implicating the accused persons either at the instance of Chowkidar or local person but then it absolutely does not stand to reason that if local person was aware of the involvement of the petitioner in the occurrence then why he/she did not inform the police prior to institution of the instant FIR which further casts aspersion on the case of the prosecution.

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. 500/- (Rupees Five Hundred) 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 Goraul P.S. Case No. 442 of 2023 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 petitioner shall verify the



criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of even one case, in that event the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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