

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10422 of 2024

Arising Out of PS. Case No.-919 Year-2023 Thana- TURKAULIYA District- East
Champaran

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Jagu Mukhiya S/O - Ramchandra Mukhiya R/O, Village- Chailaha Bintoli,
Police Station- Banjariya, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 08-04-2024 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 Sections 30(a),
41(i) of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of
recovery of 15 litres of liquor from a motorcycle.
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 is not the owner of
the seized motorcycle. It is next submitted that he came to be
implicated at the instance of Chowkidar with whom he is on an



inimical term. 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 Chowkidar 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. 10,000/- (Rupees Ten 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 Turkauliya (Banjariya) P.S. Case No. 919 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 more than two antecedent, in that event the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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