

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4627 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- MORKAHI District- Khagaria

Sushil Thakur @ Sushil Kumar Resident of Dashrath Thakur @ Bhaglu
Thakur Resident of Village- Marar Dakshini, P.S. - Morkahi, Distt.- Khagaria
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-02-2025 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, 2022.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case.
4. Allegation is of recovery of 15.5 litres of liquor from
a bush.
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 even the alleged
recovery is from a place which does not belong to the petitioner
and is accessible to public at large. It is further submitted that
petitioner came to be implicated at the instance of the Chawkidar



with whom petitioner is on an inimical term.

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 provisional anticipatory bail on furnishing bail bonds of Rs.5,000/- (Rupees Five 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 Morkahi P.S. Case No. 173 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. It is made clear that thereafter the learned trial court shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than one case in that event the provisional anticipatory bail order shall not be confirmed but if it is found on verification that petitioner has antecedent of only one case in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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