

Arising Out of PS. Case No.-300 Year-2020 Thana- SANGRAPUR District- East
Champanan

- Petitioner/s

The State of Bihar

... .. Opposite Party/s

For the Petitioner/s : Mr. Suraj Kumar Tiwari
For the Opposite Party/s : Mr. Aditya Narayan Singh.1

2 28-03-2025 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 offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioners submits that petitioner no.1 has antecedent of 15 cases and petitioner no.2 is a person with clean antecedent and is a woman and allegation is of recovery of 125 litres of liquor including 10 litres of liquor from the kiln of the petitioners and 200 litres of Mahua pass from different kiln. The learned counsel submits that petitioners



have been falsely implicated in the instant case by the informant. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the kiln does not belong to them. It is next submitted that since petitioner no.1 has antecedent of 15 cases as such the police in a mechanical manner implicated him. It is next submitted that petitioner no.2 was implicated only to coerce the petitioner no.1 into submission.

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

5. 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 Court below within a period of six weeks from today, be released on provisional anticipatory bail on furnishing bail bonds of Rs.50,000/- (Rupees fifty thousand) 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 Sangrampur P.S. Case No.300/2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that thereafter the learned trial court thereafter shall verify the criminal antecedents of the petitioners



and in the event if it is found that petitioner no.1 has antecedent of more than 15 cases and petitioner no.2 has antecedent of even one case, in that event, the provisional anticipatory bail order shall not be confirmed but if on verification it is found that petitioner no.1 has antecedent of 15 cases and petitioner no.2 is a person with clean antecedent, in that event the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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