

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44924 of 2022

Arising Out of PS. Case No.-396 Year-2021 Thana- HISUWA District- Nawada

MANTU KUMAR @ AVINASH KUMAR SON OF VIJAY PRASAD R/O
VILLAGE- KENDUA, P.S.- HISUA, DISTRICT NAWADA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 31-08-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 24 litre of liquor from a sack from the Moong field of the petitioner.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that the Moong field does not belong to the



petitioner and police in a mechanical manner implicated him with a view to save the real culprits, it is next submitted that the alleged place of recovery belongs to Satya Prakash and the petitioner at the behest of the SHO, Nawada came to be implicated.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the impugned order, it would appear that petitioner in the learned trial court had declared his criminal history in the present application but it has been recorded that he is a person with clean antecedent.

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. 2,000/- (Rupees Two 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 Hisua P.S. Case No. 396 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

Further, the learned trial court before accepting the



bail bond shall verify whether petitioner has antecedent or not, in the event, if any antecedent of the petitioner has found the present order shall not be acted upon.

(Satyavrat Verma, J)

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