

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67322 of 2022

Arising Out of PS. Case No.-228 Year-2022 Thana- MAHUA District- Vaishali

PAPPU KUMAR Son of Dev Prasad Ray Resident of Village- Nilo
Rukundpur, P.S.- Tisiauta, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-12-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272 and 273 of the Indian Penal Code read with Sections 30(a) and 41(i) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 3140.49 litres liquor from a truck and 243 litres liquor from a pickup van.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and he came to be implicated at the instance of local people but then the name of local people is not disclosed in the FIR, it is also submitted that



petitioner is neither the owner nor the driver of the alleged seized vehicle.

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

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 Court below 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 court below where the case is pending/successor court in connection with Mahua P.S. Case No. 228 of 2022 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

The learned trial court before accepting the bail bonds of the petitioner shall verify his criminal antecedents and in the event, if it is found that the petitioner has antecedent of more than one case, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

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