

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67572 of 2022

Arising Out of PS. Case No.-582 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

KANHAIYA SINGH @ KANHAIYA KUMAR S/o Late Kapildev Singh R/v-
Harraikh, Ward No. 12, P.S.- Nagar, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, A.P.P.

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 Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that petitioner has antecedent of four cases and allegation is of recovery of 70.41 liters liquor from petitioner's vacant land.

Learned counsel for the petitioner submits that petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that from perusal of the allegations as alleged in the FIR, it would manifest that the alleged recovery is from a vacant land, it is also submitted that petitioner was completely unaware that the land would be misused by villagers for such an illegal



purpose, as no prudent man would use his own property for committing a crime and thus create evidence against himself.

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 20,000/- (Rupees Twenty 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 Begusarai Nagar P.S. Case No. 582 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 petitioner has criminal antecedent of more than four cases, then the present anticipatory bail order shall not be acted upon.

(Satyavrat Verma, J)

Rishi/Shubham/-

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