

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43547 of 2023

Arising Out of PS. Case No.-89 Year-2023 Thana- GAUTAMBUDHNAGAR District- Siwan

Kundan Singh @ Kundan Kumar Singh @ Ravi Ranjan Kumar @ Kundan
Kumar Son Of Satyendra Singh, Resident of Village- Janki Nagar Ps- G.B
Nagar Dist- Siwan

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner in the present case is seeking pre-arrest bail in connection with G.B. Nagar P.S. Case No- 89 of 2023 registered for the offences punishable under Section 414 of the Indian Penal Code and under Sections 30(a), 34, 36, 41(1) of the Bihar Prohibition Excise Act, 2016. He has got no criminal antecedent.

3. Learned counsel for the petitioner submits that the informant on secret information noticed a pick up van and seeing the police four persons managed to escape. The villagers assembled there disclosed that the escaped persons are Kundan Kumar, Raja Dubey, Ishwar Prasad and Pappu Tiwary. The informant recovered 497.52 liters foreign liquor and 324



country made liquor.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the vehicle from which recovery of illicit liquor is said to have been made does not belong to the petitioner.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having regard to the submission that the vehicle from which recovery of illicit liquor is said to have been made does not belong to the petitioner, names of the persons have not been disclosed who allegedly identified the petitioner, and the petitioner has otherwise no criminal antecedent, this Court directs that in case of his arrest or surrender within a period of four weeks from today, the petitioner above named be released on bail in connection with G.B. Nagar P.S Case No- 89 of 2023 on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Court No. I, Siwan, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. And further condition that the court below shall



verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

tusharika/-

U		T	
---	--	---	--

