

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13605 of 2024

Arising Out of PS. Case No.-1062 Year-2023 Thana- MAJHAULIA District- West
Champaran

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1. Nikesh Kumar Son Of Avdhesh Yadav @ Awadhesh Yadav Resident Of Village - Rulahi, P.S. - Majhauriya, District - West Champaran
 2. Manish Kumar @ Kuldeep Kumar Son Of Arjun Yadav Resident Of Village - Rulahi, P.S. - Majhauriya, District - West Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 07-05-2024 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State, Mr. Chandra Bhushan Prasad.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 414 and 34 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 81 liters of liquor from two motorcycles as detailed in the FIR.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owner of any of the seized vehicles and came to be implicated based on confessional statement of co-accused which does not have any



evidentiary value.

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

6. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 500/- (Rupees Five Hundred) 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 Majhauiliya P.S. Case No. 1062 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear the learned Trial Court before accepting the bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event if it is found that petitioners have antecedent of even one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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