

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24201 of 2024

Arising Out of PS. Case No.-407 Year-2023 Thana- BAHERI District- Darbhanga

Lalan Kumar @ Lalan Lal Dev Son of Ram Chandra Lal Dev Resident of
Village- Ujjaina, P.S.- Baheri, Dist.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-04-2024 1. Heard learned counsel for the petitioner and learned
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case registered
for the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. Allegation is of recovery of 163.9 litres of liquor from
a car.
5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is neither the owner nor
the driver of the seized car and petitioner came to be implicated
based on the secret information which is the easiest way to implicate
someone, when petitioner admittedly is a person with clean
antecedent.



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

7. 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.500/- (Rupees Five Hundred) 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 Baheri P.S. Case No. 407 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear that the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has 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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