

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 24660 of 2024**

Arising Out of PS. Case No.-7 Year-2024 Thana- SAKATPUR District- Darbhanga

SURAJ KAMATI @ SURAJ KUMAR CHOUDHARY S/O HARIHAR
KAMTI @ HARIHAR CHOUDHARY R/O VILLAGE- KANAKPUR, P.S-
SAKASTPUR, DISTT.- DARBHANGA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Ratnakar Jha, Advocate

For the Opposite Party/s : Mr Harendra Prasad, APP

CORAM: HONOURABLE MR JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 03-04-2024 Heard learned counsel for the petitioner and the
learned APP for the State.

2 The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30 (a) of the Bihar Excise Act.

3 Learned counsel for the petitioner submits that the petitioner has two antecedents and allegation is of recovery of 48.600 liters of foreign liquor from a motorcycle. It is next submitted that the petitioner was not arrested from the spot and, as such nothing was recovered from his conscious possession and he is not the owner of the seized motorcycle. It is also submitted that the petitioner came to be implicated at the instance of local people, but then the name of the person, who disclosed the name of the petitioner is not disclosed in the FIR,



which casts an aspersion on the case of the prosecution.

4 Learned APP for the State opposes the prayer for anticipatory bail of the petitioner.

5 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 his furnishing bonds of Rs 10,000/- (Rupees Ten 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 Sakatpur PS Case No 7 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr P C.

6 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 in the event if it is found that petitioner has more than two antecedents, in that event, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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