

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22168 of 2024

Arising Out of PS. Case No.-689 Year-2023 Thana- BIDUPUR District- Vaishali

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Amod Chaudhary, S/o Chanarik Chaudhary R/o Village Kutubpur, P.S.
Bidupur, District Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Parmanand Prasad

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 26-04-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits

that the petitioner is a person with clean antecedent and the

allegation is of recovery of 195 litres of liquor from an auto.

4. The 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

not the owner of the seized auto and he came to be



implicated at the instance of local persons, but then, it is submitted that it does not stand to reason that if local person was aware of the involvement of the petitioner in the occurrence, then why he did not inform the police prior to institution of the present F.I.R., which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the bail application.

6. 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, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Bidupur P. S. Case No.689 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 antecedent of even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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