

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 24387 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- MAHUA District- Vaishali

1. Sachin Kumar SON OF VIJYANANDAN RAI VILLAGE- MAHIPATTI
2. RAJA KUMAR SON OF RAJ KUMAR SINGH RESIDENT OF VILLAGE- MAHIPATTI
3. RAM KRISHNA KUMAR SON OF MANOJ KUMAR RESIDENT OF VILLAGE- SALEMPUR SALKHANI, PS- PATEPUR, DISTT- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Anuj Kumar, Advocate

For the Opposite Party/s : Mr Arvind Kumar Pandey, APP

CORAM: HONOURABLE MR JUSTICE SATYAVRAT VERMA

ORAL ORDER

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

2 The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272, 273, 467, 414, 120B of the IPC and Sections 30 (a), 32 (1), 32 (2), 36, 41 (1) of the Bihar Excise Act.

3 Learned counsel for the petitioners submits that petitioners are persons with clean antecedent and allegation is of recovery of 6320.52 liters of foreign liquor from a truck. It is next submitted that the petitioners were not arrested from the spot and, as such nothing was recovered from their conscious



possession. It is next submitted that the petitioners are neither owner nor driver of the truck and they came to be implicated on the basis of secret information which is the easiest way to implicate someone. It is further submitted that the police, in order to save the real culprit, falsely implicated the petitioners when petitioners have clean antecedent.

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

5 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 each of them furnishing bonds of Rs 5,00/- (Rupees Five Hundred) 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 Mahuwa PS Case No 69 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 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.

(Satyavrat Verma, J)

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