

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28914 of 2024

Arising Out of PS. Case No.-599 Year-2023 Thana- SASARAM NAGAR District- Rohtas

KARAN @ KARAN KUMAR @ CHAUBANI S/O LATE HAULI BANSAL
@ LELARI DHIRKAR R/O VILLAGE- TARACHANDI (KORARI), PS.-
DARIGAON, DISTT.- ROHTAS.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sadanand Roy, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-04-2024 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 Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 200 liters of liquor from two motorcycles.
4. Learned counsel for the petitioner submits that the
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and is not the
owner of any of the seized motorcycles. It is next submitted that
he came to be implicated at the instance of Chowkidar with



whom he is on an inimical term. It is also submitted that in majority of the cases, the police, in a mechanical manner, is implicating the accused persons either at the instance of Chowkidar or local person but then it absolutely does not stand to reason that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he/she did not inform the police prior to institution of the instant FIR which further casts aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

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

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 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) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Sasaram (Town) P.S. Case No. 599 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before



accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the 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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