

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24857 of 2024

Arising Out of PS. Case No.-476 Year-2023 Thana- NAVINAGAR District- Aurangabad

BHARDUL KUMAR @ BHARDUL KUMAR SINGH @ BHARDUL
SINGH SON OF NAGDEO SINGH RESIDENT OF VILLAGE -MADHE,
P.S. - BADEM (O.P.), DISTRICT - AURANGABAD (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-05-2024 1. The learned counsel for the petitioner seeks permission to make rectification at para-1 of the anticipatory bail application.
2. Permission is accorded.
3. Heard learned counsel for the petitioner as well as learned APP for the State.
4. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018 in connection with Nabinagar P.S. Case No.476 of 2023.
5. The learned counsel for the petitioner submits that the petitioner has antecedent of two cases and allegation is of recovery of 3.6 liters of liquor from a motorcycle.



6. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized vehicle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged

7. The learned APP for the State opposes the anticipatory bail application.

8. 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise, Court No.01, Aurangabad in connection with Nabinagar P.S. Case No.476 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

9. It is further made clear that the learned trial court



shall also verify the criminal antecedent of the petitioner and in the event if it is found that petitioner has antecedent of more than two case, then also the present anticipatory bail order shall not be given effect to.

10. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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