

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25437 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- MUSRIGHRARI District- Samastipur

Chandan Kumar, Son Of Pukar Ray @ Rampukar Ray Resident Of Milki Bakhri Bujurg, P.O. And P.S. - Musrigharari, District - Samastipur, State - Bihar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhigyan Kumar
For the Opposite Party/s : Mr.Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 04-04-2024 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 195.12 litres of liquor from the mustard field near the house of Nagendra Kumar.
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 even alleged recovery is from a place, which does not belong to the petitioner and he came to be implicated based on secret information, which



is the easiest way to implicate someone, when admittedly petitioner is a person with clean antecedent.

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 Shree Vasant Kumar, Special Judge Excise Court-1, Samastipur the learned in connection with Musrigharari P. S. Case No.05 of 2024, 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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