

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26263 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- RAJNAGAR District- Madhubani

Pappu Yadav @ Pappu Kumar Yadav son of Ramashish Yadav Resident of
Village- Bhariya, Bishanpur, P.s.- Rajnagar, Dist.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravindra Kumar Singh

For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 05-04-2024 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 Sections 272, 273 and 34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. Learned counsel for the petitioner submits that petitioner has antecedent of two cases and allegation is of recovery of 491.040 litres of liquor from a Scorpio vehicle. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he is neither the owner nor the driver of the seized vehicle and he came to be implicated at the instance of local person but then it is submitted that the police in mechanical manner implicates



the accused persons either at the instance of chowkidar or local person. It is next submitted that it absolutely does not stand to reason that if the local person was aware of the involvement of the petitioner in the occurrence, why he did not inform the police prior to institution of the instant F.I.R., which casts an aspersion on the case of prosecution.

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

5. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) 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 Rajnagar P.S. Case No.24/2024, G.R. No.115/2024, 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases, in



that event, the present anticipatory bail order shall not be given
effect to.

(Satyavrat Verma, J)

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