

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25535 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- WARISNAGAR District- Samastipur

Amit Kumar Ray Son of Birmal Ray @ Virbal Rai Resident of Village-
Maniyarpur Ward No. 6, Police Station- Warisnagar, Dist.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjan Kumar
For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 204-04-2024
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 offences punishable under Section 30(a) and 41(i) of the Bihar Excise Act.
3.

Learned counsel for the petitioner submits that the petitioner has antecedent of four cases and allegation is of recovery of 2464.41 litres of liquor from a *Haiwa* vehicle.
4.

Learned counsel for the petitioner submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and is neither the owner nor the driver of the seized vehicle and he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that it appears that the Police, in



order to save the real culprit, falsely implicated the petitioner taking advantage of his antecedents.

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. 20,000/- (Rupees Twenty 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 Warisnagar P.S. Case No. 40 of 2024, 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 more than four antecedents, in that event the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

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