

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27694 of 2024

Arising Out of PS. Case No.-686 Year-2021 Thana- HISUWA District- Nawada

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RAJIV KUMAR @ BADA BABU S/O RANJEET YADAV Resident of
Village- Gopi More, P.S. Fatehpur, District- Gaya

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Manmohan Kumar, Advocate

For the Opposite Party/s : Mr.Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 15-04-2024 1. Heard learned counsel for the petitioner as well as
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)/41 of the Bihar Prohibition and Excise Act, 2016.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 250 liters of liquor from an auto.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and is not the owner of the seized auto and he came
to be implicated based on confessional statement of Pappu
Kumar in police custody, which does not have any evidentiary
value.



5. The learned APP for the State opposes the anticipatory 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 the learned Exclusive Special Excise Court-1, Nawada in connection with Hisua P.S. Case No.686 of 2021, 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 order shall not be given effect.

(Satyavrat Verma, J)

Prakash Narayan

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