

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36561 of 2024

Arising Out of PS. Case No.-114 Year-2021 Thana- ANDHRAMATH District- Madhubani

Ramlochan Sah son of Shivji Sah Village- Narhi Mahadeomath Ps-
Andharmath Dist- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-08-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State.
2. The office objection is hereby ignored.
3. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 272, 273 and 414 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.
4. Learned counsel for the petitioner submits that petitioner has antecedent of one case and allegation is of recovery of 61.2 liters of liquor from a motorcycle.
5. Learned counsel for the petitioner submits 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 vehicle and he came to be implicated at the instance



of local villagers, but then submits that police in majority of the cases implicates either at the instance of *Chowkidar* or local people in a mechanical manner without holding proper investigation.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that from perusal of the order impugned, it would manifest that the same records that petitioner has antecedent of two cases, but then petitioner at Para-3 has stated that he has antecedent of one case.

7. 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. 5,000/- (Rupees Five 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 Andharamath P.S. Case No. 114 of 2021 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, it is made clear 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 more than one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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