

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26875 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- BALIGAON District- Vaishali

1. Rohit Kumar SON OF SHATRUDHAN RAY RESIDENT OF VALLAGE - BASTI KHOAJPUR, PS- BALIGAON, DIST- VAISHALI
2. ABHISHEK KUMAR SON OF VINOD RAY RESIDENT OF VALLAGE - BASTI KHOAJPUR, PS- BALIGAON, DIST- VAISHALI
3. GUDDU KUMAR @ GUDDU RAY SON OF UPENDRA RAY RESIDENT OF VALLAGE - BASTI KHOAJPUR, PS- BALIGAON, DIST- VAISHALI
4. RANJU KUMAR @ RANCHU KUMAR @ JITESH KUMAR SON OF DINESH SINGH RESIDENT OF VILLAGE- MAUDAH CHATUR, PS- PATEPUR (HARILOCHANPUR SUKKI OP), DIST- VAISHALI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Syed Mojibur Rahman, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-04-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 467, 468, 471, 414, 120(b) of the Indian Penal Code as well as Sections 30(a), 32(ii), 41(i) and 36 of the Bihar Prohibition and Excise Act.
3. Learned counsel for the petitioners submits that petitioners are persons with clean antecedent.
4. Allegation is of recovery of 6633 litres of liquor



from a truck, three pickup vans and one motorcycle as detailed in the FIR.

5. Learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such, nothing was recovered from their conscious possession and are neither the owner of any of the seized vehicles nor have any connection with the seized liquor and they came to be implicated based on secret information which is the easiest way to implicate someone, when petitioners admittedly are persons with clean antecedent. It is further submitted that it appears that the police in order to save the real culprits falsely implicated the petitioners based on secret information.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

7. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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.500/- (Rupees Five Hundred) each with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Baligaon P.S. Case



No. 15 of 2024, subject to the conditions as laid down under
Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting
the bail bonds of the petitioners, shall verify the criminal
antecedent of the petitioners and if it is found that any of the
petitioners have antecedent of even one case, in that event, the
present anticipatory bail order shall not be given effect to with
respect to the petitioners against whom criminal antecedent is
found.

(Satyavrat Verma, J)

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