

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28689 of 2024

Arising Out of PS. Case No.-57 Year-2024 Thana- TILAUTHU District- Rohtas

Kamlesh Choudhary @ Kamlesh Kumar SON OF LATE NANDU
CHOUDHARY Resident of Village- Ramdihra, P.S. -Tilauthu, District
-Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashikant
For the Opposite Party/s : Ms. Pushpa Sinha

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 16-04-2024 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) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 10 liters of liquor from a place near the boring of
Kamlesh Chaudhary.
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 even the alleged
recovery is from a place which is adjacent to his boring but then
does not belong to him and he came to be implicated based on



secret information which is the easiest way to implicate someone, when petitioner admittedly is a person with clean antecedent.

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. 1,000/- (Rupees One 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 Tilauthu P.S. Case No. 57 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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 even one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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