

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29050 of 2024

Arising Out of PS. Case No.-274 Year-2021 Thana- JAGDISHPUR District- Bhagalpur

ANGAD KUMAR S/O BUDDHINATH YADAV R/O VILLAGE-
MORAMA, P.S- RAJAUN, DISTT.- BANKA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha, Advocate
For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-04-2024 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 offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. Allegation is of recovery of 16.800 litres 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 motorcycle and he came to be implicated based on the
confessional statement of Rahul Kumar in police custody who
disclosed that he had sold the motorcycle to the petitioner when he
was not able to produce any documentary evidence to that effect



which amply demonstrates that police in mechanical manner implicated the innocent person.

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

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 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) 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 Jagdishpur P.S. Case No. 274 of 2021, 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 petitioner, shall verify the criminal antecedent of the petitioner and 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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