

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28159 of 2024

Arising Out of PS. Case No.-212 Year-2023 Thana- MUSRIGHRARI District- Samastipur

Bablu Singh S/o Banshi Prasad Singh R/o Ward No. 06, Fatehpur Wala, P.s.
Musrigharari, District Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Anand

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 10-04-2024 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 Sections 30(a), 32
and 41(i) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of five cases and allegation is of
recovery of 3510 liters of liquor from a Tata Motor tanker.

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 is neither the
owner nor the driver of the seized vehicle and he came to be
implicated based on the confessional statement of apprehended
accused in police custody which does not have any evidentiary
value. It is also submitted that it appears that police in order to
save the real culprits falsely implicated the petitioner taking



advantage of his criminal antecedents.

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. 25,000/- (Rupees Twenty 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 Musrigharari P.S. Case No. 212 of 2023 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 more than five cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

Rishabh/-

U		T	
---	--	---	--

