

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29292 of 2024

Arising Out of PS. Case No.-35 Year-2024 Thana- KISHANPUR District- Supaul

Narendra Kumar @ Narend Kumar Son of Baichu Lal Yadav @ Baichu Prasad Yadav Resident of Village - Rajpur, Ward No.- 03, Police Station - Pipra, District - Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun

For the Opposite Party/s : Ms. Meena Singh

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 Sections 30(a) and 41(1) of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and allegation is of recovery of 180 litres of liquor from a Maruti Swift car. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and he came to be implicated based on the fact that he is owner of the seized vehicle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and



thus would create evidence against himself and hence would get implicated. It is also submitted that the petitioner was completely unaware that Vikash would misuse his vehicle in the manner as alleged, who was also apprehended from the spot and also took the name of the petitioner in his confessional statement in police custody, which does not have any evidentiary value.

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

5. 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 trial court where the case is pending/successor court in connection with ST Excise 173/2024, arising out of Kishanpur P.S. Case No.35/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the



criminal antecedents 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.

7. The learned counsel for the petitioner seeks permission to make rectification in para-1 of the anticipatory bail application.

8. Permission is accorded.

(Satyavrat Verma, J)

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