

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29712 of 2024

Arising Out of PS. Case No.-426 Year-2023 Thana- LALGANJ District- Vaishali

Vikash Kumar @ Vikash Kumar Patel S/O Kapil Patel R/O Village- Pojhiya,
P.S- Lalganj, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh

For the Opposite Party/s : Mr.Dashrath Mehta

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-04-2024 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)(e) (4)/33 of the Bihar Excise Act.
3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 525 litres of spirit like liquid from a magic van.
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 driver nor the owner of the seized vehicle. It is next submitted that he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that it



appears that the police, with a view to save the real culprit, falsely implicated the petitioner taking advantage of his 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. 5,000/- (Rupees 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 Lalganj P.S. Case No. 426 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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 the petitioner has antecedent of more than one case, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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