

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29657 of 2024

Arising Out of PS. Case No.-370 Year-2022 Thana- KHAIRA District- Saran

Kunal Nut Son of Pramod Nut Resident of village - Afaur, P.S.- Khaira
(Nagra), District - Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Rajani Kumari
For the Opposite Party/s : Mr.Mohammed Arif

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 Section 30(a) 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 20 litres of liquor from a paddy field near the house
of the petitioner, 20 litres from a paddy field near the house of
Vinod Nut and 20 litres from a paddy field near the house of
Anil Nut.

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 alleged



recovery is from a place which is accessible to public at large and does not belong to the petitioner. It is next submitted that he came to be implicated based on secret information which is the easiest way to implicate someone. It is next submitted that it appears that police, in order 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 Khaira Nagra P.S. Case No. 307 of 2022 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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