

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31096 of 2024

Arising Out of PS. Case No.-27 Year-2024 Thana- MUSAHARI District- Muzaffarpur

Sanjay Kumar @ Palta S/O Late Vaidhnath Saah R/O Village- Nayagaon, P.S-
Musahari, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravi Ranjan

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-04-2024 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 272, 273 and
34 of the Indian Penal Code read with Section 30(a) of the Bihar
Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of seven cases and allegation is of
recovery of 263.52 liters of liquor from a mango-lichi orchard.

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 the alleged
recovery is from a place which is accessible to public at large and
does not belong to the petitioner and 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 culprits falsely implicated the petitioner without
disclosing the source taking advantage of his antecedent. It is also



submitted that once an accused is implicated in a case of liquor, the police thereafter implicates mechanically.

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. 35,000/- (Rupees Thirty 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 Musahari P.S. Case No. 27 of 2024 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 seven cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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