

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32995 of 2024

Arising Out of PS. Case No.-685 Year-2018 Thana- JAHANABAD District- Jehanabad

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Anand Kumar, S/o-Harivansh Sao Resident of village Pandaul, P.S
Shakurabad, Distt-Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj

For the Opposite Party/s : Mr.Khurshid Anwar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2024 1. Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in anticipation of his

arrest in a case registered for the offences punishable under

Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits

that the petitioner has antecedent of three cases and the

allegation is of recovery of 15.75 litres of liquor from

Gautam Kumar and 10.5 litres of liquor from Md. Jahid.

4. The learned counsel for the petitioner submits

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 confessional statement of apprehended accused in police custody, which does not have any evidentiary value. It is also submitted that police, taking advantage of the antecedent of the petitioner, got him implicated through the apprehended accused persons.

5. Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Court Excise No.II, Jehanabad in connection with Jehanabad P. S. Case No.685 of 2018, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that 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 three cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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