

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29837 of 2024

Arising Out of PS. Case No.-61 Year-2024 Thana- SAKRA District- Muzaffarpur

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RAJA THAKUR @ RAJESH KUMAR SON OF RAMUDAR THAKUR @
UDGAR THAKUR @ AMUDAR THAKHUR Resident of Village - Katesar
Tola Mohanpur, P.S. - Sakra (Sakra Bariyarpur O.P.), District- Muzaffarpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 230-04-2024
1. Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 272, 273 and 34 of the IPC and Section 30(a), 32(1), 32(2), 35, 41(1) of the Bihar Prohibition and Excise Act, 2022.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 1529.58 liters of liquor from a truck.

4. It is next submitted that petitioner was not arrested from the spot as such nothing was recovered from his conscious



possession and is neither the owner nor the driver of the alleged seized truck and he came to implicated at the instance of 'Chowkidar' with whom he is on inimical term. It is also submitted that if 'Chowkidar' was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR, which cast an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

5. The learned APP for the State opposes the anticipatory 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.500 /- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Muzaffarpur in connection with Sakra P.S. Case No.61 of 2024, 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 even one case, in that event, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

Prakash Narayan

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