

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30398 of 2024

Arising Out of PS. Case No.-137 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Binit Kumar @ Vineet Kumar @ Bittu Son of Late Ashutosh Kumar Resident
of village - Killi, Ward No.- 07, P.S.- Muffasil, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Md Ataul Haque
For the Opposite Party/s : Mr.Rajesh Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 224-04-2024
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 33.75 litres of liquor from the wheat filed of the petitioner.
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. It is next submitted that no prudent person would use his own agricultural land for



committing an occurrence and thus would create evidence against himself and hence would get implicated. It is further submitted that it appears that someone inimical to the petitioner in order to implicate the petitioner and his family members plated meagre amount of liquor in his field. It is further submitted that he came to be implicated by the local people but then the FIR does not disclose the name of the person who disclosed the name of the petitioner, which casts an aspersion on the case of the prosecution.

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 Muffasil P.S. Case No. 137 of 2024, 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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