

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32880 of 2024

Arising Out of PS. Case No.-29 Year-2024 Thana- SAKRI District- Madhubani

Sunil Kumar Ram SON OF LATE MISHRI RAM Village Sagarpur, PS Sakri,
Distt Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-05-2024 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 and
273/34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 13.5 litres of liquor
from three vehicles as detailed in the FIR.

5. 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 fact that he is owner of the seized
Scooty. It is further submitted that no prudent person would use



his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that petitioner was completely unaware that Sumit Kumar would misuse the vehicle in the manner as alleged who was also apprehended from the spot along with Rohan Kumar and Nagendra Kumar Paswan.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with G.R. No. 180 of 2024 arising out of Sakri P.S. Case No. 29 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and 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 to.

(Satyavrat Verma, J)

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