

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31010 of 2024

Arising Out of PS. Case No.-47 Year-2024 Thana- RAGHUNATHPUR District- Siwan

Nathun Singh SON OF LATE JAI PRAKASH SINGH VILLAGE-Nikhti
Kala, P.S.- RAGHUNATHPUR, DIST- SIWAN

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Mr.Gauri Shankar Gupta

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 Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 60.3 from *bathan* 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 it appears that someone inimical to the petitioner planted
meagre amount of liquor in his bathan, which is a place outside
his house and is accessible to public at large. It is next submitted



that no prudent person would use his own land for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that he came to be implicated based on secret information which is the easiest way to implicate someone, when petitioner admittedly is a person with clean antecedent.

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. 500/- (Rupees Five Hundred) 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 Raghunathpur P.S. Case No. 47 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 even one case in that



event the present anticipatory bail order shall not be given effect
to.

(Satyavrat Verma, J)

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