

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34164 of 2024

Arising Out of PS. Case No.-40 Year-2024 Thana- KAUWAKOL District- Nawada

Murari Kumar son of Dinesh Mahto Resident of Village- Rustampur, P.S.-
Kauwakol, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satyapal Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 26-07-2024 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 three cases and allegation is of
recovery of 25.500 litres of liquor from a Hyundai car.
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 further submitted
that he came to be implicated at the instance of villagers 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, when it is not a case of the informant that petitioner came to be implicated based on secret informant.

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. 15,000/- (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 Kauwakol P.S. Case No. 40 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 three cases, in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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