

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33738 of 2024**

Arising Out of PS. Case No.-379 Year-2023 Thana- GOH District- Aurangabad

Bablu Kumar Son of Mahesh Yadav Resident of Village- Akauni, P.S.- Goh,  
Dist.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Harendra Kumar Singh

For the Opposite Party/s : Mr.Tarkeshwar Nath Thakur

**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 one case and allegation is of recovery of 70 litres of liquor from a jute bag allegedly thrown by 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 and even alleged recovery is from a place which does not belong to the petitioner and he has no concern with the alleged sack and he came to be implicated at the instance of local person, but then the name of the person, who disclosed the name of the petitioner is not disclosed in the FIR,



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 Goh P.S. Case No. 379 of 2023 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)**

SUMIT/-

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