

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33040 of 2024**

Arising Out of PS. Case No.-426 Year-2023 Thana- LALGANJ District- Vaishali

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Rambabu Rai SON OF Sikandar Rai Village -Salempur (Usufpur) PS  
-Lalganj District -Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Shyameshwar Kumar Singh

For the Opposite Party/s : Md. Fahimuddin

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      10-05-2024                      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 30(a) (e) (4)  
and 33 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 525 liters of liquor like spirit from a Magic van.

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 neither the owner  
nor the driver of the seized magic van and he came to be  
implicated based on secret information which is the easiest way  
to implicate someone. It is further submitted that it appears that  
the police, in order to save the real culprits, falsely implicated the  
petitioner taking advantage of his 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. 15,000/- (Rupees Fifteen 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 Lalganj P.S. Case No. 426 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear the learned Trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event if it is found that 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)**

Rishabh/-

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