

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33185 of 2024

Arising Out of PS. Case No.-220 Year-2022 Thana- RAGHOPUR District- Vaishali

Abhishek Rai @ Dhela Rai @ Akhilesh Rai Son of Harendra Rai @ Kala Rai
R/O Vill.- Sukumarpur, P.S.- Rustampur(o.p.), Dist.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dilip Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-05-2024 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, 273 and
414 of the IPC and 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 40 litres of liquor from a truck.

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 is neither the driver
nor the owner of the seized vehicle and he came to be implicated
at the instance of the informant, who claims to have identified the
petitioner. It is also submitted that it appears that the informant, in



order to save the real culprit, falsely implicated the petitioner taking advantage of his antecedents.

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 Raghopur P.S. Case No. 220 of 2022 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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