

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32988 of 2024

Arising Out of PS. Case No.-74 Year-2024 Thana- BAKHARI District- Begusarai

=====

Kundan Kumar Sahni @ Kundan Sahni, Son of Late Ganesh Sahni Resident
of Village - Bakhri Goriyari, Ward no. 27, P.S. - Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Arjun Prasad

For the Opposite Party/s : Mr.Suman Kumari Singh

=====

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 07-05-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of three cases and the allegation is
of recovery of 20 litres from a motorcycle.
4. The learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of
the seized motorcycle and he came to be implicated based on
confessional statement of apprehended accused Pradeep Sahni
in police custody, which does not have any evidentiary value.



5. Learned A.P.P. opposes the bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-II, Begusarai in connection with Bakhri P. S. Case No.74 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that 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 application shall not be given effect to.

(Satyavrat Verma, J)

vikash/-

U		T	
---	--	---	--

