

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33689 of 2024

Arising Out of PS. Case No.-24 Year-2024 Thana- YADOPUR District- Gopalganj

1. Robin Singh @ Raubin Singh, S/O Nagen Singh @ Nagendra Singh R/O Village- Ahirauli Dan, P.S- Tareya Sujan, Distt.- Kushinagar (U.P).
2. Nagen Singh @ Nagendra Singh, S/O Vishwanath Singh R/O Village- Ahirauli Dan, P.S- Tareya Sujan, Distt.- Kushinagar (U.P).

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-05-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case and the allegation is of recovery of 486 litres of liquor from a boat.
4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such,



nothing was recovered from their conscious possession and they are not the owner of the seized boat and they came to be implicated based on secret information, which is the easiest way to implicate someone.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners, above-named, in the event of their arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-XIII-cum-Special Judge, Excise Court No.1, Gopalganj in connection with Jadopur (Yadopur) P. S. Case No.24 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 petitioners shall verify the criminal antecedent of the petitioners and in the event, if



it is found that petitioner no.1 has antecedent of even one case and petitioner no.2 has antecedent of more than one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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