

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34962 of 2024

Arising Out of PS. Case No.-405 Year-2023 Thana- BAKHARI District- Begusarai

Raja Ram Yadav, Son Of Viro Yadav, Resident Of Village- Mauji P.S-
Hasanpur Distt -samastipur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar

For the Opposite Party/s : Mr.Md. Shakir Ahmad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 17-05-2024 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 120(B) of the I.P.C. and Sections 30(a), 32 and 41 of the
Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
allegation is of recovery of 891 litres of liquor from a pick-up
vehicle.

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 he came to be
implicated based on the fact that he is owner of the seized



vehicle. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged as no prudent businessman would bring his disrepute to his own business for indulging in such illegal activity.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.II, Begusarai in connection with Bakhri P. S. Case No.405 of 2023, 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 even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

vikash/-

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

