

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34730 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- MAHUA District- Vaishali

Krishna Kumar S/o Manoj Kumar @ Manoj Kumar Singh R/o vill -
Salempur, Salkhani, P.S. - Patepur, Distt.- Vaishali

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kumar, A.P.P.

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 apprehends his arrest in a case registered for the offences punishable under Sections 30(a), 32(i), 32(ii), 36, 41(1)(2) of the Bihar Excise Act and Sections 272, 273, 467, 414 and 120(B) of the Indian Penal Code.

3) Learned counsel for the petitioner submits that petitioner has antecedent of one case but inadvertently at Para-3 of the anticipatory bail application it has been recorded that petitioner is a person with clean antecedent and allegation is of recovery of 6320.52 liters of liquor from a truck.

4) Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession and is neither the driver nor the owner of the seized truck. It is next submitted that he came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that 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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Mahua P.S. Case No. 69 of 2024 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 one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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