

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35367 of 2024

Arising Out of PS. Case No.-395 Year-2024 Thana- NAWADA District- Nawada

1. Deepak Kumar Son of Indradev Kumar @ Indradev Kewat
2. Aman Kumar @ Suraj Kumar Son of Indradev Kumar @ Indradev Kewat
3. Krishnaballabh Kewat Son of Late Suresh Kewat
All Resident of village - Bhadauni Hat Par, Police Station - Nawada Town,
District - Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Sections 147, 149, 341, 323, 337, 332, 333, 307, 379, 511, 353 and 427 of the IPC and Section 45 of the Bihar Prohibition and Excise Act in connection with Nawada Town P.S. Case No.395 of 2024.

3. The learned counsel for the petitioners submit that the petitioner no.1 & 2 has antecedent of one case and petitioner no.3 is person with clean antecedent and allegation is of recovery of 05 liters of liquor from the house of Karu Chaudhary.



4. It is next submitted that the informant alleges that on secret information the police force had gone to the house of Karu Chaudhary who arrest him and from his house 05 liters of liquor was recovered and Karu Chaudhary was arrested but then the petitioner along with other accused persons appeared and started pelting stones causing damage to the vehicle of the police force and even manage to free Karu Chaudhary. It is submitted that Karu Chaudhary was never arrested as he was not present in the house and the petitioner being villagers and neighbour of Karu Chaudhary came to be implicated when no police personnel was injured or the vehicle was damaged.

5. The learned APP for the State opposes the anticipatory 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 his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court,I, Nawada in connection with Nawada Town P.S. Case No.395 of 2024, subject to the conditions laid down under Section 438(2)



of the Cr.P.C.

7. However, 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 & 2 has antecedent of more than one case and petitioner no. 3 has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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