

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35542 of 2024

Arising Out of PS. Case No.-70 Year-2024 Thana- RAJNAGAR District- Madhubani

Rohit Singh @ Rohit Kumar Singh S/o- Lalbahadur Singh R/o Village- Kako
PS-Bhairavasthan Dist-Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ratnakar Jha, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-07-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 272 and
273/34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases.

4. Allegation is of recovery of 306.625 litres of liquor
from a car.

5. 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 vehicle and he came to be implicated based on the
secret information.



6. Mr. Chandra Bhushan Prasad learned A.P.P. for the State though has submitted that petitioner is not the owner of the seized vehicle but then the same is not pleaded in the anticipatory bail application.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with G.R. No. 315 of 2024 arising out of Rajnagar P.S. Case No. 70 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that petitioner has antecedent of more than three cases in that event the present anticipatory bail order shall not be given effect to.

9. However, the learned trial court, before accepting the bail bonds of the petitioner, shall also verify the ownership



of the seized vehicle and if it is found that it is in the name of the petitioner in that event the present anticipatory bail order shall also not be given effect to.

(Satyavrat Verma, J)

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