

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35719 of 2024

Arising Out of PS. Case No.-119 Year-2024 Thana- KESARIA District- East Champaran

Ranjeet Gupta @ Ranjit Kumar Gupta Son of Ganesh Sah Resident of
Village- Jiwdhara, P.O.- Jiwdahara, P.S.- Pipra Kothi, Dist.- East Champaran
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate
For the Opposite Party/s : Mr. Ajit Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 02-07-2024 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 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 eight cases.
4. Allegation is of recovery of 1780 litres of liquor from
two trucks.
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. It is further submitted that petitioner came to be
implicated based on the confessional statement of co-accused Umesh
Kumar Yadav and Nitesh Kumar Yadav in police custody which does



not have any evidentiary value in the eye of law. It is next submitted that it appears that the police in order to save the real culprits falsely implicated the petitioner through Umesh Kumar Yadav and Nitesh Kumar Yadav taking advantage of his criminal antecedent.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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.40,000/- (Rupees Forty 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 Kesariya P.S. Case No. 119 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 eight cases in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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