

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37901 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- KHAJAULI District- Madhubani

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Ram Narayan Kumar @ Ramayan Kumar Ray Son of Ram Sundar Ray
Resident of Vilage- Sugouna, P.S. - Rajnagar, District - Madhubani.

... .. Petitioner

Versus

The State of Bihar Patna

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Dhananjay Kumar Tiwary, Advocate
For the Opposite Party : Ms. Asha Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-06-2024 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 Excise Act.

3. Learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and
allegation is of recovery of 90 liters of liquor from a
motorcycle.

4. Learned counsel for the petitioner submits that
the 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 the owner of seized vehicle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged.

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. 500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Khajauli P.S. Case No. 28 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 even one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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