

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40910 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- AGIAON BAZAR District- Bhojpur

Nandu Ram @ Raj Kumar Ram @ Nandu Kumar son of Late Jagnarayan
Ram Resident of village- Kewatiya, Ps- Agiaon Bazar Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rama Kant Singh

For the Opposite Party/s : Mr. Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 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 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 80 liters of liquor from possession of Mantosh Ram and 40 liters of liquor from village Kewatiya.
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 even alleged recovery is from Mantosh Ram with whom petitioner



has no connection or relation and petitioner has no concern with recovery of 40 liters of liquor from village Kewatiya and he came to be implicated based on confessional statement of Mantosh Ram in police custody which does not have any evidentiary value when petitioner admittedly is a person with clean 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. 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 Agiaon Bazar P.S. Case No. 23 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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