

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39400 of 2024

Arising Out of PS. Case No.-52 Year-2024 Thana- MAHNAR District- Vaishali

Mulayam Kumar @ Mulayam Kumar Rai Son of Ram Lal Ray @ Ram
Lakhan Kumar Ray @ Ram Lakhan Ray R/O Village - Lawapur, P.S.-
Mahnar, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ravish Mishra, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 08-07-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise Act, 2018.

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

4. Allegation is of recovery of 19.5 litres of liquor
from a hut and a field.

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 neither the
owner of the hut or the field. It is further submitted that
petitioner came to be implicated based on the secret information



which is the easiest way to implicate someone.

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.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 Mahnar P.S. Case No. 52 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.

(Satyavrat Verma, J)

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