

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40862 of 2024

Arising Out of PS. Case No.-59 Year-2024 Thana- RUNISAIDPUR District- Sitamarhi

SIKANDRA KUMAR @ SIKANDAR KUMAR SON OF RAM NARAYAN
SINGH RESIDENT OF VILLAGE - BENGHAHA, KOILI, POLICE
STATION - NANPUR, DISTRICT - SITAMARHI

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh

For the Opposite Party/s : Mr.Jharkhandi Upadhyay

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 Sections 420, 467, 468, 471, 120B and 34 of the IPC and Sections 30(a), 32, 36, 41(1) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 820.8 litres of liquor from a bus.

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 is not the owner of the seized bus. It is next submitted that he came to be implicated



based on confessional statement of Pradeep and Umesh in police custody which does not have any evidentiary value. It is next submitted that no doubt petitioner is known to Pradeep and Umesh, but then merely because the petitioner had a talk with them from his mobile does not suggest that the petitioner was involved in the occurrence.

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. 5,000/- (Rupees Five Thousand) 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 Runnisaidpur P.S. Case No. 59 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than one case,



in that event the present anticipatory bail order shall not be
given effect to.

(Satyavrat Verma, J)

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