

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40359 of 2024

Arising Out of PS. Case No.-334 Year-2023 Thana- LAUKAHI District- Madhubani

Ram Prakash Yadav, S/O Tej Narayan Yadav, Village Mansapur, P.S. -
Laukahi, Dist Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-07-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 272, 272 and 34 of the I.P.C. and Section 30(a) of the
Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of six cases, but inadvertently at
Para-3 of the anticipatory bail application, it has been recorded
that petitioner is a person with clean antecedent and the
allegation is of recovery of 468 litres of liquor from a car.

4. The 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 car and he came to be implicated based on secret information, which is the easiest way to implicate someone. It is next submitted that it appears that the police in order to save the real culprit falsely implicated the petitioner taking advantage of his antecedents which stands mentioned in the supplementary affidavit.

5. Learned A.P.P. opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with GR No.927 of 2023 arising out of Laukahi P. S. Case No.334 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. It is made clear that 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 more than six cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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