

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40152 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Raghubar Kumar @ Raghuvir Yadav @ Raghubir Yadav @ Raghuwar Kumar
Yadav @ Raghuwar Singh Son Of Bharat Yadav @ Bharat Singh Resident Of
Village - Asni, P.S. - Udwant Nagar, District - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-07-2024 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 has antecedent of seven cases and allegation is of
recovery of 153 liters of liquor from bank of Banas river.
4. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even the alleged
recovery is from a place which does not belong to the petitioner
and is accessible to public at large and he came to be implicated
based on secret information which is the easiest way to implicate
someone. It is also submitted that it appears that police, in order
to save the real culprits, falsely implicated the petitioner taking



advantage of his 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. 35,000/- (Rupees Thirty 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 Udwantnagar P.S. Case No. 151 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 more than seven cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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