

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42327 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- SIMRI District- Darbhanga

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Birendra Thakur @ Laddu Goptal @ Laddu Gopal Thakur, Son Of Abhay
Thakur Resident Of Village - Kanshi, P.S. - Simri, District - Darbhanga
... .. Petitioner/S

Versus

The State Of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Krishna Kumar
For the Opposite Party/s : Mr.Sanjay Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 05-07-2024 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 30(a) and 37 of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and the allegation is of
recovery of 1.875 litres of liquor from a thatched hut.
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 hut from where the alleged recovery was made and he came
to be implicated at the instance of Durganand Jha and Bambam
Jha in police custody, which does not have any evidentiary
value.



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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-IIInd, Excise Act, Darbhanga in connection with Simri P. S. Case No.55 of 2024, 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 one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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