

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41673 of 2024

Arising Out of PS. Case No.-36 Year-2024 Thana- FESHAR District- Aurangabad

Nagraj @ Bablu Chauhan Son of Sakun Chouhan R/o village - Mahtha, P.S.-
Fesar, District - Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Singh

For the Opposite Party/s : Mr. Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2024 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 is a person with clean antecedent and allegation
is of recovery of 10 liters of liquor from a hut.

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 petitioner is
not the owner of the hut and he came to be implicated based
on confessional statement of apprehended accused in police
custody which does not have any evidentiary value.



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. 500/- (Rupees Five Hundred) 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 Fesar P.S. Case No. 36 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 even one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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