

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42191 of 2024**

Arising Out of PS. Case No.-716 Year-2021 Thana- BRAHMPUR District- Buxar

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Manohar Chaudhary, Son Of Late Rajbalam Chaudhary Resident Of Village -  
Purani Bhojpur, Police Station - Dumrao, District - Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Akash Kumar Mishra

For the Opposite Party/s : Mr.Dashrath Mehta

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      04-07-2024                      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 379, 414, 272 and 273 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 one case and the  
  
allegation is of recovery of 44.820 litres of liquor from two  
  
motorcycles.

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 he came to be implicated based on the fact that he is owner of one of the seized motorcycle. It is further submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his friend would misuse the vehicle in the manner as alleged.

5. Learned A.P.P. opposes the 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 Excise Court No.2nd, Buxar in connection with Brahmpur (Nainijor) P. S. Case No.716 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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