

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.42194 of 2024**

Arising Out of PS. Case No.-79 Year-2024 Thana- RIGA District- Sitamarhi

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Dharmendra Rai @ Dharmendra Yadav, S/o Late Sitaram Rai R/o vill -  
Pataniya, P.s. - Riga, Distt. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ranjeet Kumar Mishra

For the Opposite Party/s : Mr.Satyendra Narayan Singh

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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  
Section 414 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 four cases and the allegation is  
of recovery of 12.96 litres of liquor from a motorcycle.

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 motorcycle and he came to be implicated based on  
confessional statement of Fekan Kumar in police custody, which  
does not have any evidentiary value.



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. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1, Sitamarhi/ concerned Court in connection with Riga P. S. Case No.79 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 four cases, in that event, the present anticipatory bail application shall not be given effect to.

**(Satyavrat Verma, J)**

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