

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43879 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- SRIPUR District- Gopalganj

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AMITABH CHAUHAN @ AMITABH KUMAR S/O TILAK CHAUHAN
R/O VILL - DERWA, P.S. - GOPALPUR, DIST - GOPALGANJ.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-06-2024 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 414 of
the Indian Penal Code and Section 30(a) of the Bihar Excise
Act.

3. Learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 52.200 liters of liquor from a motorcycle and
one Arjun Chauhan was arrested who disclosed the name of
the petitioner alleging that he had given the motorcycle and
cash for purchasing liquor.

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 has no connection with Arjun Chauhan who is the owner of the seized vehicle 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. 5,000/- (Rupees 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 Sripur P.S. Case No. 12 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 one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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