

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42312 of 2024

Arising Out of PS. Case No.-39 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.
District- Siwan

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Kundan Rajbhar Son Of Sharma Rajbhar Resident Of Village - Pukhrera, P.S.
- Mairwa, District - Siwan

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary
For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 230-08-2024
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 has antecedent of three cases and allegation is of recovery of 58.170 litres of liquor from a place behind the gate of the petitioner.
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 even alleged recovery is from a place which does not belong to the petitioner



but then is adjacent to his house. It is next submitted that petitioner came to be implicated based on secret information which is the easiest way to implicate someone. It is also submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically in other cases.

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. 15,000/- (Rupees Fifteen 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 Excise P.S. Case No. (C III) 39 of 2020 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than three



cases, in that event, the present anticipatory bail order shall not
be given effect to.

(Satyavrat Verma, J)

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