

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45980 of 2024

Arising Out of PS. Case No.-92 Year-2024 Thana- KUMAR KHAND District- Madhepura

Yogendra Sardar @ Yogendr Sardar S/o Late Jagdish Sardar R/o vill - Parsahi,
ward no. 8, P.S. - Kumarkhand (Bhatni), Distt. - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Parmanand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-07-2024 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 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits

that the petitioner is a person with clean antecedent and the

allegation is of recovery of 04 litres of liquor from a place

behind the house of the petitioner and 05 litres of liquor

from the courtyard of Durganand Sardar.
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 even alleged recovery is from a place, which does not belong to the petitioner and is accessible to public at large and he came to be implicated based on secret information, which is the easiest way to implicate someone, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. opposes the anticipatory 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge-V-cum- Special Judge Excise Act-1st, Madhepura in connection with Kumarkhand (Bhatni) P. S. Case No.92 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 even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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