

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43244 of 2024

Arising Out of PS. Case No.-119 Year-2024 Thana- KESARIA District- East Champaran

Binod Panday S/O Pandit Panday R/O VILLAGE AND POST- BASGOWN,
P.S.- BISHUNPURA, DISTRICT- KUSHINAGAR, UP

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ganesh Prasad Singh, Advocate
For the Opposite Party/s : Mr.Atul Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-07-2024 Heard learned counsel for the petitioner as well as

learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
a case registered for the offences punishable under Sections 272
and 273 of the IPC in connection with Keshariya P.S. Case
No.119 of 2024.

The learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 1780 liters of liquor from two trucks.

It is next submitted 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 truck. It is next submitted that
no prudent person would use his own vehicle for committing an
occurrence and thus would create evidence against himself and



hence would get implicated and at the same time will bring disrepute to his business. It is also submitted that petitioner was completely unaware that Nitesh would misuse the vehicle in the manner as alleged.

The learned APP for the State opposes the anticipatory bail application.

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 Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.3 in connection with Keshariya P.S. Case No.119 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

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 order shall not be given effect.

The application stands allowed.



(Satyavrat Verma, J)

Prakash Narayan

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