

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.45654 of 2024**

Arising Out of PS. Case No.-38 Year-2024 Thana- CHANAN District- Lakhisarai

Kamal Kishor @ Lanthan @ Kamal Kishore Kumar S/O Late Krishna Mandal  
R/O VILL - DHANWA, P.S. - BANNU BAGICHA, DIST - LAKHISARAI  
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Rabi Bhushan, Advocate  
For the Opposite Party/s : Mr. Rajesh Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      18-07-2024                      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 as well as Sections 30(a), 32 and 41 of the  
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 100 litres of liquor  
from a motorcycle.

5. 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 vehicle. It is further submitted that petitioner came to  
be implicated based on the confessional statement of



apprehended accused in police custody which does have any evidentiary value in the eye of law.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chanan P.S. Case No. 38 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and 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 to.

**(Satyavrat Verma, J)**

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