

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46050 of 2024

Arising Out of PS. Case No.-85 Year-2024 Thana- SARAI District- Vaishali

Sakindra Kumar Yadav @ Sachindra Kumar, S/o Chhathu Rai R/o village-
Harauli, P.S.- Hajipur Sadar (Kazipur O.P.) District-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms.Bela Singh

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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
Sections 272, 273 and 34 of the I.P.C. and 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 20 litres of liquor from a
motorcycle.

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 is not the owner of the seized motorcycle and he came to be implicated based on confessional statement of Neeraj Kumar in police custody, which does not have any evidentiary value, 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 Exclusive Special Excise Court No.II-cum- Additional District & Sessions Judge, Vaishali at Hajipur in connection with Sarai P. S. Case No.85 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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