

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46436 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- DERNI BAZAR District- Saran

Praduman Kumar @ Praduman Kumar Mahto @ Pradeem Kumar @ Pradum
S/o Dina Mahto @ Dinanath Mishra R/o vill - Sutihar Nantola, P.S. - Derni,
Distt. - Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Ranjan Kumar Pandey, Adv.
For the Opposite Party/s : Ms. Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 19-07-2024 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 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of 50 liters of liquor from roof of a hut and 40 liters of
liquor from a place near the house of Devanti Devi.
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 and he came to be implicated at the instance of local people but the name of the person who discloses the name of the petitioner is not disclosed in the FIR which cast an aspersion on the case of the prosecution, when petitioner admittedly is a person with clean antecedent.

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. 5,000/- (Rupees Five 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 Derni P.S. Case No. 53 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear 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 to.

(Satyavrat Verma, J)

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