

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44549 of 2024

Arising Out of PS. Case No.-220 Year-2024 Thana- SARAIYA District- Muzaffarpur

Amit Kumar @ Lala @ Amit Kumar Singh son of Bhatrudhan Singh @
Shatrudhan Singh @ Jhagaru Singh Resident of village- Amwara Tej Singh,
Ps- Saraiya Dist- Muzaffarpur Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pushpendra Kumar Singh, Adv.

For the Opposite Party/s : Mr.Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-07-2024 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 in connection with Saraiya PS Case No. 220/2024 for the offences punishable under Sections 272, 273, 34 of the IPC and 30(a), 32(2), 32(3), 36, 41(1), 41(2) of the Bihar Prohibition and Excise Act, 2018.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of five cases and allegation is of recovery of 1010.160 litres of liquor from a pickup vehicle. It is next submitted that the petitioner was not arrested from the spot, as such, nothing was recovered from his conscious possession and he is not the owner of the seized vehicle and came to be implicated based on confession statement of apprehended accused in police custody which does not have any evidenciary value. It is next submitted that the police in order to save the real culprits falsely implicated the petitioner taking advantage of



his antecedent.

4. Learned A.P.P. opposes the bail application.

5. 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.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court-II, Muzaffarpur in connection with Saraiya P. S. Case No. 220/2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

6. The application stands allowed.

7. 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 more than five cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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