

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48227 of 2024

Arising Out of PS. Case No.-154 Year-2024 Thana- KESARIA District- East Champaran

1. Vinod Rai @ Binod Rai @ Vinod Yadav Son of Yogendra Ray @ Jogi Ra Resident of Vill- Bariya, P.S.- Kesariya, District East- Champaran, Bihar.
2. Prabhu Ray @ Prabhu Rai Son of Raghunath Ray Resident of Vill- Kadhan Ward No. 10, P.S.- Kesariya, District- East Champaran, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjeet Patel
For the Opposite Party/s : Mr.Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-07-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 272 and 273 of the IPC and Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 25 litres of liquor from a motorcycle.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not owner of the seized motorcycle and they came to be implicated at the instance of local people, but then the name of the person, who disclosed the



name of the petitioner is not disclosed in the FIR, which casts an aspersion on the case of the prosecution, when petitioners admittedly are persons with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 500/- (Rupees Five Hundred) each 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 Kesariya P.S. Case No. 154 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioners have 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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