

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47515 of 2024

Arising Out of PS. Case No.-97 Year-2018 Thana- PIPRAKOTHI District- East Champaran

Ram Sundar Sah @ Ram Sundar Son of Mahavir Sah R/O Vill.-Darbhanga,
P.S.- Darbhanga, Dist.- Darbhanga, Dist.- Darbhanga. At Present R/O
Mohalla- J-278, Jhuggi Railway Line, Lawrence Road, Industrial Area, Tri
Nagar, North-West Delhi, P.S.- Keshapuram, Dist.- North West Delhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 22-07-2024 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 Sections 272 and
273/34 of the Indian Penal Code and Section 30(a) of the Bihar
Prohibition and Excise Act, 2016.
3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.
4. Allegation is of recovery of 231 litres of liquor from
a car.
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 Santosh Kumar



in police custody which does not 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 Piprakothi P.S. Case No. 97 of 2018, 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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