

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50963 of 2024

Arising Out of PS. Case No.-329 Year-2023 Thana- TILAUTHU District- Rohtas

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Pintu Kumar @ Pintu Sao @ Yogendra Prasad S/o Durga Sao @ Durga Prasad R/o vill - Uttar Patti, Tillouthu, P.S. - Tillouthu, Distt. - Rohtas (Bihar)
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jai Prakash Singh
For the Opposite Party/s : Mr. Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 29-07-2024 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 petitioner has antecedent of nine cases and allegation is of recovery of 20 liters of liquor from a sack kept on a cycle.
4. 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 cycle and he came to be implicated based on the confessional statement of apprehended accused in police custody which does not have any evidentiary value. It is also submitted that it appears that the police in mechanical manner implicated the



petitioner taking advantage of his antecedents through Ramnath Ram.

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. 45,000/- (Rupees Forty 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 Tilouthu P.S. Case No. 329 of 2023 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 more than nine cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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