

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49488 of 2024

Arising Out of PS. Case No.-898 Year-2023 Thana- SARAIYA District- Muzaffarpur

Pappu Kumar @ Pappu Rai S/o Bhagwan Ray R/o vill - Kailapatti, P.s .-
Saraiya, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-07-2024 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 30(a),
32(1), 32(2), 36, 41(1), 41(2) of the Bihar Excise Act and
Sections 272, 273 and 34 of the Indian Penal Code.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of nine cases and allegation is of
recovery of 69 litres of liquor from a Ford Figo Car.

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 is not the owner
of the seized car. It is next submitted that he came to be



implicated at the instance of Chowkidar with whom he is on an inimical term. It is also submitted that the police, in a mechanical manner, implicates either at the instance of Chowkidar or local person. It is also submitted that it appears that the police, in order to save the real culprit, falsely implicated the petitioner taking advantage of his antecedents.

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 Saraiya P.S. Case No. 898 of 2023 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the 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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