

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52112 of 2024

Arising Out of PS. Case No.-89 Year-2024 Thana- MOHIUDDIN NAGAR District-
Samastipur

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Randheer Kumar Rai @ Bhulla, Son of Bhagwan Rai Resident of Vill-
Kursaha, P.S.- Mohiuddinnagar, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Akshay Lal Pandit

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 201-08-2024
1. 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 for the offences punishable under Section 30(a) of the Excise Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the allegation is of recovery of 91 litres of liquor from a motorcycle.

4. The 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 motorcycle and he came to be implicated at the instance of Chaukidar. It is next submitted that police in



majority of cases implicating innocent persons either at the behest of Chaukidar or local person, but how Chaukidar identified the petitioner, when petitioner is not known to him, which cast an aspersion of the case of the prosecution as implication appears to be mechanical.

5. Learned A.P.P. opposes the anticipatory bail application.

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 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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-2, Samastipur in connection with Mohiuddinnagar P. S. Case No.89 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. 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 even one case, in that



event, the present anticipatory bail application shall not be given
effect to.

(Satyavrat Verma, J)

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