

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53029 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- KUCHAIKOTE District- Gopalganj

Rajesh Ram, Son Of Tufani Ram Village- Rampur Madho, Ps- Kuchaikote,
Dist- Gopalganj

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh

For the Opposite Party/s : Mr.Sucheta Yadav

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-08-2024 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 has antecedent of two cases and the
allegation is of recovery of 67.425 litres of liquor from a
sack from the possession of six accused persons out of
which, two persons managed to flee, 45 litres of liquor from
a motorcycle apart from 6.3 litres of liquor from the
possession of Lalan Kumar Singh.



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 he came to be implicated based on confessional statement of apprehended accused in police custody, which does not have any evidentiary value.

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. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-IV-cum- Exclusive Special Judge Excise Court No.II, Gopalganj in connection with Kuchaikote P. S. Case No.131 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 more than two cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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