

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54498 of 2024

Arising Out of PS. Case No.-207 Year-2024 Thana- MANER District- Patna

1. Rajnish Kumar @ Rajnish Ray Sonof Late Budi Ray @ Late Budhi Ray @ Late Chandeshwar Rai R/V- Village- Chhihantar (CHHIHANTER), P.S.- Maner, Distt.- Patna
2. Kallu Kumar @ Kaloo Kumar Son Of Late Budi Ray @ Lae Chandeshwar Rai R/V- Village- Chhihantar (CHHIHANTER), P.S.- Maner, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhanshu Shekhar
For the Opposite Party/s : Mr.Humayou Ahmad Khan

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 06-08-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 18.12 litres of liquor from a wooden kiosk and 37 litres of liquor from the hut of the Babu Saheb and a Splendor motorcycle was seized.
4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was



recovered from their conscious possession. It is next submitted that the kiosk does not belong to the petitioners, but then police in a mechanical manner implicates without holding proper investigation. It is also submitted that it appears that the police, with a view to save the real culprit, falsely implicated the petitioners, when petitioners admittedly are persons with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 500/- (Rupees Five Hundred) each 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 maner P.S. Case No. 207 of 2024, 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is



found that the petitioners have 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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