

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57212 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- BETTIAH CITY District- West
Champaran

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Shashikant Kumar @ Fresh Kumar son of Subhash Sahani Resident of Vill-
Daroga Tola, P.S.- Bettiah Town, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-08-2024 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 two cases and allegation is of
recovery of 8.295 liters of liquor from a motorcycle.
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 motorcycle and he came to be implicated based on
confessional statement of Subhash Sahni in police custody which
does not have any evidentiary value.



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. 10,000/- (Rupees Ten 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 Bettiah Town P.S. Case No. 211 of 2024 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 two cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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