

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56663 of 2024

Arising Out of PS. Case No.-270 Year-2023 Thana- LAUKAHI District- Madhubani

Ramesh Kumar Yadav @ Ramesh Yadav, Son Of Hareram Yadav R/V-
Village- Jatahi, P.S.- Khutauna, Distt.- Madhubani

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ratnakar Jha

For the Opposite Party/s : Mr.Meena Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-08-2024 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
Sections 272 and 273 of the I.P.C. and Section 30(a) of the
Excise Act.

3. The learned counsel for the petitioner submits that
the learned counsel for the petitioner submits that inadvertently
at Para-3, it has been recorded that petitioner is a person with
clean antecedent, when he has antecedent of four cases for
which a supplementary affidavit has been filed. It is next
submitted that the allegation is of recovery of 468 litres of
liquor from a car.

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 car and he came to be implicated based on secret information, which is the easiest way to implicate someone. Once an accused is implicated in a case relating to excise, the police starts implicating mechanically either at the instance of Chaukidar, local people, secret information or confessional statement without holding a proper inquiry.

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.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with G.R. No.759 of 2023 arising out of Laukahi P. S. Case No.270 of 2023, 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 four cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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