

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57247 of 2024

Arising Out of PS. Case No.-286 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Vishnu Singh @ Vishnu Kumar Singh @ Vishnu @ Vishnu Kumar Son Of
Saroj Kumar Singh Resident Of Village - Biratpur, Ward No. 10, Paitya, Police
Station - Sonbarsa Raj, Biratpur, District - Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Singh

For the Opposite Party/s : Mr.Nand Kumar

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 Sections 30(a) and 41(1) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of recovery of
558 litres of liquor from a motorcycle and a truck.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and is not the owner of any
of the seized vehicles. It is next submitted that he came to be
implicated at the instance of Chowkidar with whom he is on an
inimical term. It is also submitted that in majority of the cases, the



police, in a mechanical manner, implicates either at the instance of Chowkidar, local person, secret information or confessional statement without holding a proper investigation.

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 Sonbarsa Raj P.S. Case No. 286 of 2023, 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the 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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