

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59652 of 2024**

Arising Out of PS. Case No.-68 Year-2024 Thana- MANIYARI District- Muzaffarpur

Santosh Kumar @ Santosh Rai Son of Kishore Ray Resident of Village -  
Kuleshradih, P.S. - Sakra, District - Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Krishna Kant Singh  
For the Opposite Party/s : Mr. Rabindra Kumar

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      31-08-2024                      1. Heard learned counsel for the petitioner and learned  
A.P.P. for the State.
2. The petitioner apprehends his arrest in a case regis-  
tered for the offences punishable under Section 30(a) of the Bihar  
Excise Act.
3. Learned counsel for the petitioner submits that peti-  
tioner has antecedent of four cases and allegation is of recovery of  
460.44 liters of liquor from bamboo orchard near the house of  
Dilip Paswan.
4. Learned counsel for the petitioner submits that peti-  
tioner was not arrested from the spot as such nothing was recov-  
ered from his conscious possession and even the alleged recovery  
is from a place which does not belong to the petitioner and is ac-  
cessible to public at large and he came to be implicated based on  
secret information which is the easiest way to implicate some-



one. It is also submitted that police at times takes aid of secret information in order to save real culprits by implicating those who have been implicated in cases relating to excise earlier.

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. 20,000/- (Rupees Twenty 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 Maniyari P.S. Case No. 68 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 four cases in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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