

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59990 of 2024

Arising Out of PS. Case No.-63 Year-2024 Thana- BHAGWAN BAZAR District- Saran

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1. Rahul Kumar, son of Joga Rai @ Yogendra Ray village- Jan Tola Rivilganj, Ps- Rivilganj, Dist- Saran
 2. Akash Kumar @ Fakan, son of Nanhaki Prasad village- Daulatganj, ps- Bhagwan Bazar, Dist- Saran at chapra

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh
For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 21-08-2024 1. Heard learned counsel for the petitioners and learned APP for the State.
2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioners have antecedent of one case and the allegation is of recovery of 200 litres of liquor from a motorcycle.
4. The learned counsel for the petitioners submits that petitioners were not arrested from the spot, as such,



nothing was recovered from their conscious possession and were not the owner of the motorcycle and they came to be implicated based on secret information, which is the easiest way to implicate someone.

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.5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Exclusive Special Judge Excise, Saran at Chapra in connection with Bhagwan Bazar P. S. Case No.63 of 2024, 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 petitioners shall verify



the criminal antecedent of the petitioners and in the event, if
it is found that petitioners have antecedent of more than one
case, in that event, the present anticipatory bail order shall
not be given effect to.

(Satyavrat Verma, J)

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