

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59673 of 2024

Arising Out of PS. Case No.-178 Year-2024 Thana- Excise P.S. District- Madhubani

Rahul kumar Thakur, Son of Vechan Thakur R/O -Village- Ramna Parwa, P.S
- Jaynagar, District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Sanjay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 20-08-2024 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 Section 30(a) of the Excise Act.
- 3.The learned counsel for the petitioner
submits that the petitioner is a person with clean
antecedent and the allegation is of recovery of
5.400 litres of liquor from a scooty.
- 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 he came to be



implicated based on the fact that he is owner of the scooty. It is next submitted that no prudent person would use his own vehicle for committing a crime and thus, would create evidence against himself and hence, would get implicated. It is further submitted that petitioner was completely unaware that his friend Suman Kumar Mishra would misuse the vehicle in the manner as alleged.

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.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II-cum- Special Judge, Excise Act, Madhubani in connection with Sadar Excise P. S. Case No.178 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 petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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