

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63432 of 2024

Arising Out of PS. Case No.-552 Year-2024 Thana- ALAMGANJ District- Patna

Prabhat Kumar @ Prabhat Yadav S/o- Ram Babu Yadav Village- Sakri
Gali,Gwal Toli, FNS Academy Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramswarup Prasad

For the Opposite Party/s : Mr.Rabindra Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 17-12-2024 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 30(a) and 32(3) of the Excise Act.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 49.59 litres of liquor along with 06 litres of beer
from a motor garage of petitioner near Bajrangpuri PCC Road.
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. It is further submitted
that it has been specifically pleaded in the anticipatory bail
application that petitioner is not the owner of the garage rather



the owner of the garage is Saroj Kumar, who had rented the said garage in favour of Sri Vikash Kumar. It is next submitted that petitioner came to be implicated in the instant case 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 Court of Exclusive Special Excise, Patna City, Patna in connection with Alamganj P. S. Case No.552 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 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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