

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62197 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- PAUTHU District- Aurangabad

Raju Kumar @ Raju Yadav Son of Jitendra Yadav Resident of Village -
Pokhar Bigha, P.S.- Pauthu, District - Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aman Vishal, Advocate

For the Opposite Party/s : Ms.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 02-09-2024 1. Heard learned counsel for the petitioner as well as
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 Bihar Prohibition and Excise Act in
connection with Pauthu P.S. Case No.69 of 2024.

3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 14.4 liters of liquor from cattle shed of the
petitioner.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and cattle shed is a place outside the house and is
accessible to villagers at large. It is next submitted that no
prudent person would use his own premises for committing an



occurrence and thus would create evidence against himself and hence would get implicated. It is also submitted that it appears that someone inimical to the petitioner planted meagre amount of liquor in his cattle shed with an intention to implicate him and his family members. It is also submitted that petitioner came to be implicated at the instance of 'Chowkidar' with whom he is on inimical term.

5. The learned APP for the State 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.5000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Second, Aurangabad in connection with Pauthu P.S. Case No.69 of 2024, subject to the conditions 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 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.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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