

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67149 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- SAKRI District- Madhubani

Ram Kumar Choudhary, son of Ramjee Choudhary R/o vill - Basaha, P.S. -
Babubarhi, Distt. - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Ms.Asha Devi

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 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 272, 273/34 of the I.P.C. and Sections 30(a), 36, 38(1),
41(1) of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 953.64 litres of liquor from a place near the
poultry farm of Shravan Singh and from a motorcycle.

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 seized



motorcycle. It is next submitted that no doubt, petitioner was the owner of the motorcycle and had purchased the motorcycle on laon, but since he was not able to pay the EMI of the vehicle, as such, the vehicle was seized by TVS Credit Service Limited and later, the bike was sold to someone else. It is also submitted that the bike was seized by the aforesaid company on 29.08.2023 and the FIR came to be instituted on 17.04.2024

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, Madhubani in connection with Sakri P. S. Case No.76 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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