

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64672 of 2024

Arising Out of PS. Case No.-362 Year-2024 Thana- HISUWA District- Nawada

Dharmendra Chaudhary @ Aditya Chaudhary, S/o- Devnandan Chaudhary
Village- Pesh Po- Nardiganj Ps- Nardiganj Dist- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gaurav Prakash

For the Opposite Party/s : Ms.Sharda Kumari

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 09-09-2024 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 Section 30(a) of the Excise Act.
3. The learned counsel for the petitioner submits that the petitioner has antecedent of eight cases and allegation is of recovery of 160 litres of liquor from a Bolero vehicle.
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 is



not the owner of the seized vehicle and he came to be implicated based on secret information, which is the easiest way to implicate someone. It is also submitted that at times the police take aid of implicating of an accused at the instance of local people in order to save the real culprit without disclosing the name of the person, who disclosed the name of the accused. It is next submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically.

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.40,000/- (Rupees Forty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court 1st, Nawada in connection with Hisua P. S. Case No.362 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 eight cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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