

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67543 of 2024

Arising Out of PS. Case No.-462 Year-2024 Thana- BELAGANJ District- Gaya

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Aniket Kumar @ Aniket Raj S/O Late Sanjay Saw R/O Village- Sakurabad,
P.S- Sakurabad, District-Jehanabad. At Present Residing at Village- Belaganj,
P.S- Belaganj, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate

For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 25-09-2024 Heard Mr. Vishwa Ranjan Choudhary, learned

counsel for the petitioner and Mr. Arun Kumar, learned

Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.07.2024 in connection with Belaganj P.S. Case No. 462 of
2024, F.I.R. dated 30.07.2024 for the offences punishable under
Sections 420, 413, 414, 468 and 471 of the Indian Penal Code
and Section 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2022.

3. Recovery is of 130 liters of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears



from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the shop of the co-accused, namely, Krishna Prasad and he has disclosed the name of the petitioner and except the aforesaid, no other material has come during investigation which suggest the involvement of the petitioner in the present occurrence. The petitioner is in custody since 30.07.2024.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances that the petitioner has clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. II, Gaya in connection with Belaganj P.S. Case No. 462 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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