

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65801 of 2024

Arising Out of PS. Case No.-338 Year-2024 Thana- SAHEBGANJ District- Muzaffarpur

Ajhikesh Singh @ Akhilesh Kumar @ Akhilesh Singh Son of Late Harihar
Singh Village- Rajepur @ Rajapur, P.S.- Sahebganj, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Ramesh Chandra

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-09-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 353, 332, 333, 427, 504 and 506 of the Indian Penal Code read with Section 30(a) of the Bihar Excise Act.

3. Learned counsel for the petitioner submits petitioner has antecedent of one case case and allegation is of recovery of 24.36 liters of liquor from a place behind the house of Amrendra Singh.

4. Learned counsel for the petitioner submits that petitioner was not arrested from the spot as such nothing was recovered from his conscious possession and the police on



receiving the information reached the place of occurrence and raided the place of occurrence when it is alleged that Ashok Singh along with 20-30 other miscreants attacked the police with *lathi*, *danda*, bricks and stones, on account of which the police force was injured.

5. The learned counsel next submits that from perusal of the allegation as alleged in the F.I.R., it would manifest that no specific allegation is alleged against the petitioner rather the allegation against him is general and omnibus in nature and he has no relation with Amrendra Singh rather he stays near the place of occurrence, as such, on hearing the ruckus he had gone to see what was happening when he came to be implicated at the instance of *Chowkidar* with whom he is on an inimical term.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is



pending/successor court in connection with Sahebganj P.S. Case No. 338 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, 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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