

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69944 of 2024

Arising Out of PS. Case No.-53 Year-2024 Thana- MADHWAPUR District- Madhubani

1. Hariram Raut Son of Raj Kishore Raut Resident of Village- Chouraut, P.S. Chouraut, District- Sitamarhi
2. Sanjay Raut @ Sanjay Son of Sakaldeo Raut Resident of Village- Chouraut, P.S. Chouraut, District- Sitamarhi

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha

For the Opposite Party/s : Mr.Mukesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act and Sections 272, 273 and 34 of the IPC..

3. Learned counsel for the petitioners submits that the petitioners are person with clean antecedent and allegation is of recovery of 10.065 litres of liquor from possession of Rajan Kumar Mandal.

4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even alleged recovery is from a person with whom petitioners have no concern or relation



and they came to be implicated based on confessional statement of Rajan in police custody which does not have any evidentiary value, when admittedly petitioners are persons with clean antecedent.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 500/- (Rupees Five Hundred) each 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 Madhwapur P.S. Case No. 53 of 2024, subject to the conditions as 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioners have 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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