

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66946 of 2024

Arising Out of PS. Case No.-236 Year-2024 Thana- PAROO District- Muzaffarpur

Upendra Rai @ Upendra Kumar Yadav Son of Ramchandra Rai R/o Village-
Mathihani, P.S.- Paroo, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Priyesh Kumar

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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 Section 30(a) of the
Bihar Excise Act.
3. Learned counsel for the petitioner submits that the
petitioner has antecedent of two cases and allegation is of recovery
of 648 litres of liquor from the field of Dinesh Rai.
4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and even alleged
recovery is from a place which does not belong to the petitioner
and is accessible to public at large and he has no concern or
relation with Dinesh. It is next submitted that he came to be



implicated at the instance of Chowkidar with whom he is on an inimical term.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten 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 Paroo P.S. Case No. 236 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than two cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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