

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76411 of 2024

Arising Out of PS. Case No.-186 Year-2024 Thana- SONEPUR District- Saran

Akhilesh Rai @ Akhilesh Kumar Son of Late Keshav Rai Resident of
Sabalpur Newal Tola, P.S.- Sonapur, Distt.- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh No. I, Advocate
For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 06-12-2024 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
inadvertently at para-3 of the anticipatory bail application, it has been
pleaded that petitioner has one antecedent when petitioner has
antecedent of three cases and allegation is of recovery of 10 litres of
liquor from a bush.
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 came to be implicated at the instance of



Chowkidar with whom he is on an inimical term. It is also submitted that it appears that the police, in order to save the real culprit, falsely implicated the petitioner because of his antecedents.

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. 15,000/- (Rupees Fifteen 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 Sonapur P.S. Case No. 186 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 three cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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