

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69283 of 2024

Arising Out of PS. Case No.-804 Year-2019 Thana- FATUA District- Patna

Ritik Kumar Son of Vinod Paswan Resident of Bankipur Gorakh, P.S. -
Fatwah, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mickey Singh

For the Opposite Party/s : Mr.Abhay Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 25-09-2024 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 22.8 litres of liquor from under constructed house of
the petitioner.

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 the house was
under construction as such no one was staying. It is also
submitted that no prudent person would use his own premises



for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is next submitted that since house was under construction as such it appears that someone inimical to the petitioner planted meagre amount of liquor in order to implicate the petitioner and his family members.

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 Fatuha P.S. Case No. 804 of 2019, 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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