

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69085 of 2024

Arising Out of PS. Case No.-225 Year-2024 Thana- ATHMALGOLA District- Patna

Piyush Kumar Son of Lalendra Rai @ Narendra Ray Resident of Village-
Jamalpur, Barahiya, Nadipar, P.S.- Athmalgola, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Kashyap, Advocate

For the Opposite Party/s : Dr. (Mr.) Kumar Uday Pratap, A.P.P.

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 offence punishable under Section 30(a) of the Bihar
Prohibition and Excise (Amendment) Act, 2022.
3. Learned counsel for the petitioner submits that
petitioner has antecedent of three cases.
4. Allegation is of recovery of 205.2 litres of liquor from
an auto.
5. Learned counsel for the petitioner submits that
petitioner was not arrested from the spot, as such, nothing was
recovered from his conscious possession and is not the owner of the
seized auto. It is further submitted that petitioner came to be
implicated based on the disclosure made by the local people but then
police in majority of the cases implicate either at the instance of the
Chawkidar, local people, secret information or confessional



statement in a mechanical manner without holding proper investigation of the case.

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, let the petitioner above-named, in the event of his arrest or surrender before the learned Court below 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 court below where the case is pending/successor court in connection with Athmalgola P.S. Case No. 225 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and if it is found that 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)

Kundan/-

U		T	
---	--	---	--

