

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72610 of 2024

Arising Out of PS. Case No.-551 Year-2022 Thana- BIDUPUR District- Vaishali

Rajesh Kumar Singh Son of Shivnath Singh R/O- Sitalpur Kamalpur, P.S-
Bidupur, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate

For the Opposite Party/s : Mr. Umeshanand Pandit, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 04-10-2024 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, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of eight cases.

4. Allegation is of recovery of 1017 litres of liquor from a
pick up van.

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 vehicle. It is further submitted that petitioner came to be
implicated based on the secret information which is the easiest way
to implicate someone. It is next submitted that once an accused is
implicated in a case relating to excise the police start implicating



mechanically and at times to save the real culprits.

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.40,000/- (Rupees Forty 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 Bidupur P.S. Case No. 551 of 2022, 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 eight cases in that event the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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