

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71518 of 2024

Arising Out of PS. Case No.-254 Year-2024 Thana- TILAUTHU District- Rohtas

1. SANTOSH KUMAR @ SANTOSH YADAV S/O- JAMINDAR YADAV @ JIMDAR YADAV Village- Bahera Ps- Tilauthu Dist- Rohtas
2. Santosh Kumar@ Santosh Yadav @ Mallu S/o- Late Bangali Yadav Village- Bahera Ps- Tilauthu Dist- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar Singh
For the Opposite Party/s : Mr. Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-10-2024 1. Heard learned counsel for the petitioners and learned A.P.P. for the State.
2. The petitioners apprehend their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and allegation is of recovery of 50 liters of liquor from a sack allegedly thrown by the petitioners.
4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and even the alleged recovery is from a place which does not belong to the petitioners nor they have any concern with the sack and they came to be



implicated based on secret information which is the easiest way to implicate someone.

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

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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. 5,000/- (Rupees Five Thousand) each 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 Tilauthu P.S. Case No. 254 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. However, it is made clear that the learned Trial Court before accepting the bail bonds of the petitioners shall verify their criminal antecedent and in the event if it is found that any of the petitioners have antecedent of more than one case in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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