

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.70183 of 2024**

Arising Out of PS. Case No.-176 Year-2021 Thana- MOHIUDDIN NAGAR District-  
Samastipur

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Amit Kumar @ Amit Kumar Singh Son of Prithvi Dhar Prasad Singh  
Resident of village - Harpur Bochaha, Police Station - Vidyapatnagar,  
District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Mahendra Pratap

For the Opposite Party/s : Mr.Zainul Abedin

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

- 2      05-10-2024                      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 offences punishable under Sections 30(a) and  
34 of the Bihar Excise Act and Sections 272 and 273 of the  
Indian Penal Code.
3.    Learned counsel for the petitioner submits that the  
petitioner has antecedent of three cases and allegation is of  
recovery of 300 litres of liquor from a Bolero vehicle.
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 he came to be  
implicated based on the fact that he is owner of the seized



vehicle. It is next submitted that no prudent person would use his own vehicle for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is further submitted that petitioner was completely unaware that Md. Samir would misuse the vehicle in the manner as alleged, who was also apprehended from the spot.

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 Mohiuddinnagar P.S. Case No. 176 of 2021 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)

SUMIT/-

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