

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71254 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- MADHEPUR District- Madhubani

Sikandar Yadav @ Sikandar Kumar Son of Ramdutt Yadav @ Ram Kumar
Yadav Resident of Village - Pauni, P.S. - Madhepur, District - Madhubani
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jaishankar Kumar Yadav, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 201-10-2024
1. Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act in connection with Madhepur P.S. Case No.34 of 2024.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and allegation is of recovery of 30 liters of liquor from a motorcycle.

4. It is next submitted 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 and he came to be implicated at the instance of Chowkidar, but then police in majority of the cases implicates either at the instance of the 'Chowkidar', local person, secret information or confessional statement in a mechanical manner without holding proper investigation.

5. The learned APP for the State opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 500 /- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Madhepur P.S. Case No.34 of 2024, subject to the conditions 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 antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that



event, the present anticipatory bail order shall not be given effect.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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