

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71352 of 2024

Arising Out of PS. Case No.-131 Year-2024 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Preem Kumar Poddar @ Rajesh Poddar @ Rajesh Ranjan Son Of
Satyanarayan Poddar Resident Of Ward 04, Inaiya, Village - Inaiya, P.O. -
Dafarpur, P.S. - Dafarpur, District – Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate
For the Opposite Party/s : Mr. Bishweshwar Ram, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 01-10-2024 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 61 of BNS Act and 30(a) of the Bihar Prohibition and
Excise Act in connection with Naokothi P.S. Case No.131 of
2024.
3. The learned counsel for the petitioner submits that
the petitioner has antecedent of one case and allegation is of
recovery of 225 liters of liquor from a car.
4. It is next submitted that 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 alleged seized car. 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 also submitted that petitioner was completely unaware that his driver would misuse the vehicle in the manner as alleged.

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.5000 /- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-I, Begusarai in connection with Naokothi P.S. Case No.131 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 more than 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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