

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72029 of 2024

Arising Out of PS. Case No.-268 Year-2018 Thana- LADANIA District- Madhubani

Saroj Kumar Son of Sikandar Yadav R/O Vill.- Belahi, P.S.-Jainagar, Dist.-
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash, Advocate

For the Opposite Party/s : Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 03-10-2024 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
Sections 272, 273 of the IPC and 30(a) of the Bihar Prohibition
and Excise Act in connection with Ladaniya P.S. Case No.268
of 2018.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 432 liters of liquor from a pickup van.

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 during the course of investigation on the ground that he is driver of the vehicle. It is next submitted that petitioner is neither driver nor owner of the seized vehicle and it appears that the police in order to save the real culprits falsely implicated the petitioner who is a person with clean antecedent.

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 Additional Sessions Judge, Ind-cum-Special Judge, Excise Act, Madhubani in connection with Ladaniya P.S. Case No.268 of 2018, 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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