

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73760 of 2024

Arising Out of PS. Case No.-81 Year-2024 Thana- KARPURIGRAM District- Samastipur

1. Abhishekh Kumar @ Balka Son of Bhola Sahni Resident of Village- Mohammdpur (Mohamda), P.S.- Pusa, Distt.-Samastipur, At present Resident of Village- Shambhupatti, P.S.- Karpurigram, Distt.- Samastipur
2. Brajesh Sahni Son of Dilip Sahni @ Dilip Chaudhary Resident of Village- Shambhupatti, P.S.- Karpurigram, Distt.- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 18-10-2024 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 Sections 30(a), 32, 36 and 41 of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that petitioner No. 1 has antecedent of two cases while petitioner No. 2 has antecedent of three cases and allegation is of recovery of 3582 litres of liquor from a truck.
4. Learned counsel for the petitioners submits that the petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owner of the seized vehicle and they came to be implicated based on secret



information which is the easiest way to implicate someone. It is also submitted that at times police takes aid of secret information with a view to save the real culprit.

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. 15,000/- (Rupees Fifteen 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 Karpurigram P.S. Case No. 81 of 2024 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 petitioners shall verify the criminal antecedents of the petitioners and in the event if it is found that the petitioner No. 1 has more than two antecedent and petitioner No. 2 has more than three antecedent, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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