

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80262 of 2024

Arising Out of PS. Case No.-264 Year-2018 Thana- NADI P.S. District- Patna

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Kundan Kumar Son of Virendra Rai Resident of village- Jethuli, PS- Nadi,
District -Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arvind Kumar Pradhan

For the Opposite Party/s : Ms.Meena Singh

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 06-12-2024 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 341, 323,
307, 147, 148, 149, 353, 337, 338, 427, 431/34 of the IPC and
Sections 30(a) & 45 of the Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner is a person with clean antecedent and allegation is of
recovery of foreign liquor from Jagdish Rai's cowshed.

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. It is next submitted
that from perusal of allegation as alleged in the FIR, it would
manifest that even the quantity of seized liquor has not been



mentioned in the FIR, which casts an aspersion on the case of the prosecution. It is further submitted that petitioner has no concern or relation with Jagdish Rai and he came to be implicated based on secret information and on the allegation that petitioner along with others pelted stones at the raiding team.

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. 500/- (Rupees Five Hundred) 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 Nadi P.S. Case No. 264 of 2018 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

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 even one case, in that



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

(Satyavrat Verma, J)

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