

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80933 of 2024**

Arising Out of PS. Case No.-21 Year-2022 Thana- JAHANABAD District- Jehanabad

Krishan Bhagat @ Krishana Bhagat Son of Bichare Bhagat @ Pyare Bhagat  
Resident of Village- South Daulatpur Mathiyapar, P.S. Jehanabad, District-  
Jehanabad,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Gajendra Kumar Singh

For the Opposite Party/s : Ms.Asha Kumari

**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 Section 30(a) of the Bihar Excise  
Act.

3.      Learned counsel for the petitioner submits that the  
petitioner has antecedent of three cases and allegation is of recovery  
of 335 litres of liquor from a place near bank of a river.

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 and even alleged recovery is  
from a place which does not belong to the petitioner and is accessible  
to public at large. It is next submitted that he came to be implicated  
based on confessional statement of Ganesh Sao in police custody



which does not have any evidentiary value.

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. 15,000/- (Rupees Fifteen Thousand) 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 Jehanabad P.S. Case No. 21 of 2022 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 petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that the petitioner has antecedent of more than three cases, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

SUMIT/-

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