

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22496 of 2025**

Arising Out of PS. Case No.-164 Year-2020 Thana- KUTUMBA District- Aurangabad

Saket Kumar S/o Ram Bilash Singh Resident of Village- Basa Bigha, P.S.-  
Salaiya, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      09-07-2025                      Heard Ms. Kumul Kumari, learned counsel for the  
  
petitioner and Ms. Shaheen Begum, learned Additional Public  
  
Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with G.R. No. 901 of 2020 arising out of Kutumba P.S. Case No. 164 of 2020, F.I.R. dated 23.09.2022 for the offences punishable under Sections 279, 337, 338, 353, 307, 326, 427 and 34 of the Indian Penal Code and Section ¾ of the Prevention of Damage to Public Property Act and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, during the course of confiscation of illicit spirit, the accused persons made attempt to kill the police officials.

4. Learned counsel for the petitioner submits that



petitioner is not named in the FIR and the name of the petitioner has been transpired during investigation on the basis of confessional statement of co-accused person namely, Rahul Singh and it appears from the FIR as well as seizure list nothing has been recovered from conscious possession of the petitioner and the recovery has been made from the vehicle in question and the petitioner is neither the owner nor the driver of the vehicle in question and he has no concern at all with the alleged recovery of illicit liquor or vehicle in question. Similarly situated co-accused person namely, Sidhu Kumar has been granted privilege of anticipatory bail by a Co-ordinate Bench of this Hon'ble Court vide order dated 17.10.2022 passed in Cr. Misc, No. 19730 of 2022.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one criminal antecedent other than the present one but fairly submits that he is on bail in the pending matter.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing



bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge of Excise, Aurangabad in connection with G.R. No. 901 of 2020 arising out of Kutumba P.S. Case No. 164 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned



order shall not be delayed for purpose of or in the name of  
verification.

**(Rajesh Kumar Verma, J)**

Raj Ranjan/-

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