

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24025 of 2025

Arising Out of PS. Case No.-190 Year-2025 Thana- SONEPUR District- Saran

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1. Lakshmi Rai @ Lakshmi Kumar S/O Ramakant Rai R/O Village- Najarmira, P.S- Sonpur (Saran), Distt.- Chapra.
 2. Pappu Rai @ Pappu Kumar @ Pappu Kumar S/O Ramakant Rai R/O Village- Najarmira, P.S- Sonpur (Saran), Distt.- Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mr. Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-04-2025 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 Section 30(a) of the Bihar Excise Act.
3. Learned counsel for the petitioners submits that petitioners have antecedent of one case and allegation is of recovery of 326.88 liters of liquor from a motorcycle.
4. Learned counsel for the petitioners submits that petitioners were not arrested from the spot as such nothing was recovered from their conscious possession and are not the owner of the seized motorcycle and they came to be implicated at the



instance of *Chowkidar* with whom they are on an inimical term. It is next submitted that police in mechanical manner investigates and implicates either at the instance of *Chowkidar*, local people, confessional statement or secret information.

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 **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees Five 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 Sonpur P.S. Case No. 190 of 2025 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 after accepting the provisional anticipatory bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event if it is found that any of the petitioners have antecedent of more than one case then it would be presumed that petitioners, for the purposes of seeking anticipatory bail,



had concealed their antecedent before this Court, as such, the provisional anticipatory bail shall not be confirmed, but in the event if it is found that both of the petitioners have antecedent of only one case in that event the provisional anticipatory bail bonds shall be confirmed forthwith.

(Satyavrat Verma, J)

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