

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87348 of 2024

Arising Out of PS. Case No.-308 Year-2024 Thana- NAUTAN District- West Champaran

Amar Mukhiya @ Amar Kumar Son of Rikdev Mukhiya village- Shivrajpur,
Ward no. 8, Ps- Nautan, Dist- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra

For the Opposite Party/s : Mr. Rabindra Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-02-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 191(2), 190, 126(2), 115(2), 118(1), 109, 121(1),
121(2) and 132 of the Bharatiya Nyaya Sanhita, 2023 and
Section 45 of the Excise Act.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and the
informant alleges that on secret information, police team raided
the vegetable field and found illegal liquor concealed under the
straw. Accordingly, the liquor was seized when villagers arrived
and attacked the police force with lathi, danda, on account of
which, the informant and his team got injured. Further alleges



that the mob even tried to snatch the mobile and official pistol.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case with general and omnibus allegation. It is next submitted that it does not appear probable that Chaukidar would have identified so many accused persons. It is also submitted that petitioner stayed nearby from the place of occurrence, as such, on hearing ruckus, he also went to see what was happening and came to be implicated.

5. Learned A.P.P. Mr. Rabindra Kumar opposes the anticipatory bail application.

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 Court below within a period of six weeks, is directed to be released on **provisional anticipatory bail** on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-1, Bettiah, West Champaran in connection with Nautan P. S. Case No.308 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.



8. It is made clear that the learned trial Court before accepting the bail bonds of the petitioner shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has antecedent of even one case, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner is a person with clean antecedent, in that event, the provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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