

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89824 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- AURANGABAD TOWN District-
Aurangabad

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Vicky Kumar Son of Satyendra Yadav village- Naga Bigha, Ps- Aurangabad
town, Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aman Vishal
For the Opposite Party/s : Mr. Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 207-02-20251. Heard learned counsel for the petitioner and
learned A.P.P. for the State.
2. The petitioner seeks bail 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
petitioner has antecedent of seven cases and allegation is of
recovery of 10.11 liters of liquor from a small room under the
boundary wall of Pandit Ji.
4. Learned counsel for the petitioner submits that
petitioner was not apprehended from the spot as such nothing
was recovered from his conscious possession and and even the
alleged recovery is from a place which does not belong to the



petitioner and he came to be implicated at the instance of local people. It is further submitted that petitioner had earlier moved this Court seeking anticipatory bail by filing Criminal Miscellaneous No. 64939 of 2024 and the same came to be allowed by an order dated 09.09.2024 with a condition that: *“the learned Trial Court before accepting the bail bonds of the petitioner shall verify his criminal antecedent and if it is found that petitioner has more than one antecedent in that event, the anticipatory bail order shall not be given effect to, as in Criminal Miscellaneous No. 64939 of 2024, the petitioner at Para-3 had pleaded that he had antecedent of one case, but on verification, seven cases were found.*

5. Learned A.P.P. for the State opposes the prayer for regular bail of the petitioner and submits that the petitioner at the time when he was granted anticipatory bail, had not approached this Court with clean hands, as such, his bail bonds were not accepted when he was granted the privilege of anticipatory bail. It is next submitted that if petitioner is given the privilege of bail, he may abscond as charges till date have not been framed against the petitioner.

6. Considering the submissions made by the learned APP for the State, the Court is not inclined to extend the



privilege of bail to the petitioner.

7. However, the petitioner would be at liberty to
renew his prayer for bail after framing of charge.

(Satyavrat Verma, J)

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