

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.8195 of 2021**

Arising Out of PS. Case No.-162 Year-2019 Thana- LAKHISARAI District- Lakhisarai

Raju Kewat Son Of Mangal Kewat R/O Village- Gangta, P.S.- Lakhisarai,  
District- Lakhisarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate  
For the Opposite Party/s : Mr. Akhileshwar Dayal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD  
ORAL ORDER**

2      13-12-2021      Learned counsel for the petitioner undertakes to remove all the defects pointed out by the Stamp Reporter within four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Akhileshwar Dayal, learned APP for the State.

The petitioner in the present case is seeking pre-arrest bail in connection with Lakhisarai P.S. Case No. 162 of 2019 registered for the offences punishable under Sections 272/273/308 of the Indian Penal Code and Section 30(a)(c)/36 of Bihar Prohibition and Excise Act, 2016. The petitioner has no criminal antecedent.

Learned counsel for the petitioner submits that as per the prosecution story, the informant got secret information that accused persons named in the FIR including this petitioner are involved in preparation and selling of the liquor. The informant



reached at the given place (near a pond in village Gangta) where on seeing the police many persons managed to flee away from where the informant recovered utensils and other articles to be used in preparation of liquor. The informant came to know about the name of the persons who managed to escape from the nearby persons. The informant further raided the half constructed house of co-accused Rabindra Kewat from where 1.5 liters of Mahua liquor was recovered.

Learned counsel for the petitioner submits that from the seizure lists itself it would appear that the utensils used in manufacturing of liquor have been seized from the bank of the pond situated in the village Gangta and the recovery of 1 and 1/2 liter of country-made wine has been seized from the house of co-accused Ravindra Kevat. Nothing has been recovered from the place related to the petitioner.

Learned APP for the State has opposed the prayer for pre-arrest bail of the petitioner.

Having regard to the submissions of learned counsel for the petitioner that from the seizure lists itself it would appear that the utensils used in manufacturing of liquor have been seized from the bank of the pond situated in the village Gangta and the recovery of 1 and 1/2 liter of country-made wine has been seized from the house of co-accused Ravindra Kevat, so far as the present



petitioner is concerned, there is no specific allegation against him so as to connect him with the present case and the seizure list witnesses are the police personnels, in the circumstances, this Court directs that the petitioner above named in the event of his arrest or surrender within four weeks from today be released on bail on furnishing of bail bond of Rs.25,000/- (Rupees Twenty Five Thousand/-) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-II-cum-Special Judge (Excise), Lakhisarai in connection with Lakhisarai P.S. Case No. 162 of 2019, subject to the conditions as laid down under Section 438(2) Cr.P.C.

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.

The application stands allowed.

**(Rajeev Ranjan Prasad, J)**

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

