

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.28650 of 2022**

Arising Out of PS. Case No.-493 Year-2021 Thana- TAJPUR District- Samastipur

RAJEEV KUMAR DAS Son of Rajendra Das Resident of village - Maricha,  
P.S.- Tajpur (Halai O.P.), District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      12-08-2022      Heard learned counsel for the petitioner and learned A.P.P.  
for the State through the virtual Court proceedings.

Let the defect(s), if any, be removed within a period of  
four weeks.

The petitioner apprehends his arrest in a case registered  
for the offence punishable under Section 30(a) of the Bihar  
Prohibition and Excise (Amendment) Act, 2018.

Learned counsel for the petitioner submits that petitioner  
is a person with clean antecedent.

Allegation is of recovery of 4.850 litre of liquor from the  
back side of the house of the petitioner.

Learned counsel for the petitioner submits that petitioner  
was not arrested from the spot, as such, nothing was recovered from  
his conscious possession. He further submits that the alleged  
recovery is from a place which is the back side of the house of the  
petitioner and has a very small boundary, as such, it appears that



someone threw the said liquor inside the house of the petitioner. He next submits that no prudent man would keep the liquor in his house knowing how the stringent law is. He also submits that it seems that petitioner came to be implicated based on the information received to the police by the Station House Officer. Learned counsel submits that it appears that in the impugned order, it has been wrongly recorded that the alleged recovery is 9500 ml. when from perusal of the seizure list, it would manifest that the allegation is of recovery of 4.850 litre of liquor.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Tajpur P.S. Case No. 493 of 2021, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Kundan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

