

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44038 of 2023

Arising Out of PS. Case No.-111 Year-2023 Thana- CHAKIA District- East Champaran

Rohit Kumar Son Of Ramnath Sah Resident Of Village Chankyapuri Bara
Chakia, Ps- Chakia, Distt- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 04-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner, in the present case, is seeking pre-arrest bail in connection with Chakia P.S. Case No.111 of 2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2016. The petitioner has got no criminal antecedent.

3. As per the prosecution story, allegedly 137 liters of illicit foreign liquor were recovered from the wheat field of one Ganesh Sah.

4. Learned counsel for the petitioner submits that the alleged recovery of illicit liquor has been made from the wheat field with which the petitioner has no concern and he has otherwise no criminal antecedent.

5. Learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.



6. Having regard to the submission that the alleged recovery has been made from the wheat field with which the petitioner has no concern and he has otherwise no criminal antecedent, this Court directs that in case of his arrest/surrender within a period of four weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Court No.-1, Motihari, East Champaran in connection with Chakia P.S. Case No. 111 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. This application stands allowed.

(Rajeev Ranjan Prasad, J)

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