

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18442 of 2024

Arising Out of PS. Case No.-132 Year-2022 Thana- RAJPUR District- Rohtas

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Rajendra Singh Son Of Mangal Singh Resident Of Village -CHHAPARA
Police Station -RAJPUR District- Rohtas At Sasaram

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Arun Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

3 10-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 30(a)(d) of the Bihar Prohibition and Excise Act, 2018.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and allegation is
of recovery of 60 liters of liquor from a field.

4. It is next submitted that petitioner was not arrested
from the spot as such nothing was recovered from his conscious
possession and even alleged recovery is from a place which
does not belong to the petitioner and is accessible to public at



large and he came to be implicated at the instance of *Chowkidar* with whom he is on inimical term. It is also submitted that Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police prior to institution of the instant FIR, which cast an aspersion on the case of the prosecution.

5. The learned APP for the State 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 bail on his furnishing bail-bonds in the sum of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.II-cum-Additional District & Sessions Judge, Rohtas at Sasaram in connection with Rajpur P.S. Case No.132 of 2022, 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 anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

Prakash Narayan

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