

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21400 of 2024

Arising Out of PS. Case No.-396 Year-2023 Thana- LALGANJ District- Vaishali

Keshaw Rai @ Keshaw Kumar S/O- Suresh Rai @ Saroj Rai @ Saroj Kumar
R/O- Village- Belka, P.S.- Vaishali, Dist.- Vaishali At Hajipur.

... .. Petitioner/s

Versus

The State Of Bihar, Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Navjot Yesu

For the Opposite Party/s : Mr.Nand Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-03-2024 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest 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 the
petitioner has antecedent of one case and allegation is of
recovery of 210 litres of liquor along with 5,000 litres of java
solution which was destroyed, recovered from Salempur Diyara.

4. Learned counsel for the petitioner submits that the
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 is accessible to public at large
and does not belong to the petitioner and he came to be



implicated at the instance of local people. It is also submitted that in majority of the cases, the police is implicating the accused persons through Chowkidar or local people but then submits that if Chowkidar was aware of the involvement of the petitioner in the occurrence then why he did not inform the police earlier to institute the FIR which further casts aspersion on the case of the prosecution.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Lalganj P.S. Case No. 396 of 2023, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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