

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.27731 of 2024**

Arising Out of PS. Case No.-278 Year-2023 Thana- AKHODHIGOLA District- Rohtas

Dinesh Kumar S/o- Lala Singh @ Rameshwar Singh R/o- Village- Bishun  
Bigha, PS- Akorhigola, Distt- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Ms.Asha Kumari, APP

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

ORAL ORDER

2      15-04-2024                      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) of the Bihar Prohibition and Excise Act, 2018.

3. The learned counsel for the petitioner submits that  
the petitioner has antecedent of one case and allegation is of  
recovery of 4 liters of liquor from a place near a road.

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 if the '*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.5000/- (Rupees Five Thousand ) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Rohtas at Sasaram in connection with Akorhigola P.S. Case No.278 of 2023, 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 more than one case, in that event, the present anticipatory bail order shall not be given effect.

(Satyavrat Verma, J)

Prakash Narayan

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