

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.33957 of 2024**

Arising Out of PS. Case No.-150 Year-2024 Thana- LAKHISARAI District- Lakhisarai

Kanchan Kewat @ Prashant Kumar Son of Brahamdev Kewat Saryug  
Resident of Village - Jogmela, P.S. and District - Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Mayank Bilochan, Advocate

For the Opposite Party/s : Mr.Gulnar Begum, APP

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

2      13-05-2024                      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),(c) of the Bihar Prohibition and Excise Act, 2022  
in connection with Lakhisarai P.S. Case No.150 of 2024.

3. The learned counsel for the petitioner submits that  
the petitioner is a person with clean antecedent and allegation is  
of recovery of 100 liters of liquor from the field of the  
petitioner.

4. It is next submitted that petitioner was not arrested  
from the spot as such nothing was recovered from his conscious  
possession. It is next submitted that it has been asserted and  
stated at para-10 that the field does not belong to the petitioner  
and no prudent person would use his own premises for



committing an occurrence and thus would create evidence against himself and hence would get implicated and he came to be implicated at the instance of local villager, but then it absolutely does not stand to reason that if villager 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 Additional District & Sessions Judge, IV-cum-Special Excise Court-I, Lakhisarai in connection with Lakhisarai P.S. Case No.150 of 2024., subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. 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.

8. The application stands allowed.

**(Satyavrat Verma, J)**

Prakash Narayan

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