

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36288 of 2024

Arising Out of PS. Case No.-80 Year-2024 Thana- RAJPUR District- Buxar

Bachchal Rajbhar @ Bachal Rajbhar Son of Lalita Rajbhar Resident of
Village - Jaitpura, P.S.- Rajpur, District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar Ojha

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 25-06-2024 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 3.96 litres of liquor concealed under the straw in the
field of the petitioner.
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. It
is next submitted that no prudent person would use his own field



for committing an occurrence and thus would create evidence against himself and hence would get implicated, it is further submitted that field is an open place and is accessible to public at large and it may be a possibility that someone inimical to the petitioner got meagre amount of liquor planted in the field of the petitioner in order to implicate petitioner and his family members.

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 Rajpur P.S. Case No. 80 of 2024 subject to the conditions as 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 antecedents of the petitioner and in the event if it is



found that the petitioner has antecedent of more than one case,
in that event the present anticipatory bail order shall not be
given effect to.

(Satyavrat Verma, J)

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