

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39352 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- NASRIGANJ District- Rohtas

1. Brij Kumar @ Brij Singh
2. Anil Kumar
Both Sons of Late Buchchi Singh R/O VILLAGE- SHANKARPUR P.S.-
NASARIGANJ, DISTRICT- ROHTAS AT SASARAM

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Chhote Lal Mishra, Advocate
For the Opposite Party/s : Mr.Syed Mojibur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 28-06-2024 Heard learned counsel for the petitioners as well as
learned APP for the State.

2. The petitioners seek bail in anticipation of their arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018 in connection with Nasriganj P.S. Case No.132 of 2024.

3. The learned counsel for the petitioners submit that the petitioner no.1 has antecedent of one case and petitioner no.2 has antecedent of two cases and the allegation is of recovery of 32 liters of liquor from a place near a government school.

4. It is next submitted that petitioners were not arrested from the spot as such nothing was recovered from their



conscious possession and even alleged recovery is from a place which does not belong to the petitioners and is accessible to public at large and they came to be implicated based on secret information, which is the easiest way to implicate someone.

5. The learned APP for the State opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their 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.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Rohtas at Sasaram in connection with Nasriganj P.S. Case No.132 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. However, the learned trial court before accepting the bail bonds of the petitioners shall verify the criminal antecedent of the petitioners and in the event, if it is found that petitioner no.1 has antecedent of more than one case and petitioner no.2 has antecedent of more than two cases, in that event, the present anticipatory bail order shall not be given



effect to.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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