

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41308 of 2024

Arising Out of PS. Case No.-336 Year-2018 Thana- Excise P.S. District- Rohtas

Sanjay Chaudhary @ Baiju Kumar, S/o Rohit Chaudhry R/o Village-
Khanda,P.S.- Sasaram, Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr.Sunil Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 03-07-2024 1.Heard learned counsel for the petitioner
and 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 Excise Act.
- 3.The learned counsel for the petitioner
submits that the petitioner has antecedent of three
cases and the allegation is of recovery of 648 litres
of liquor from a barn of Brahma Chaudhary.
- 4.The learned counsel for the petitioner
submits 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 petitioner has no connection or relation with Brahma Chaudhary and he came to be implicated at the instance of local person, but the name of the person, who disclosed the name of the petitioner is not disclosed in the F.I.R., which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the 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. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram in connection with Excise Case No.336 of 2018 and Registered Case no.3251 of 2018, 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 three cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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