

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44773 of 2024**

Arising Out of PS. Case No.-137 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.  
District- Begusarai

- 
1. Ajay Kumar @ S Kumar, S/O Pramod Rai R/O Village Bari Aighu Belbana Ward No 41 P.S. Begusarai Muffasil District Begusarai
  2. Dablu Rai @ Bablu Rai, S/O Pramod Rai R/O Village Bari Aighu Belbana Ward No 41 P.S. Begusarai Muffasil District Begusarai

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

---

**Appearance :**

For the Petitioner/s : Mr.Saket Kumar

For the Opposite Party/s : Ms.Asha Kumari

---

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

2      12-07-2024                      1. Heard learned counsel for the petitioners and  
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 Excise Act.

3. The learned counsel for the petitioners submits that  
the petitioner no.1 has antecedent of one case and petitioner  
no.2 has antecedent of three cases and the allegation is of  
recovery of 117 litres of liquor from a place near the field of  
Kaushal Thakur.

4. The learned counsel for the petitioners submits 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 at the instance of local person, but the name of the person, who disclosed the name of the petitioners 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 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 their furnishing bail-bonds in the sum of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Act-II, Begusarai in connection with Begusarai Excise Complaint Case No.137C2 of 2021, 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 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 three cases, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

vikash/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

