

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43314 of 2024

Arising Out of PS. Case No.-60 Year-2024 Thana- KOTWA District- East Champaran

Rohit Raj @ Rohit Kumar Son of Bilat Pandey R/O Village- Mahmada, P.S.-
Pipra Kothi, District- East Champaran at Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Karandeep Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 03-07-2024 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 offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent.

4. Allegation is of recovery of 1.980 litres of liquor
from possession of Vikash Tiwary.

5. 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 the alleged
recovery is from possession of Vikash Tiwary and the petitioner
came to be implicated based on the confessional statement of
Vikash Tiwary in police custody which does not have any



evidentiary value in the eye of law.

6. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

7. 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 from today, be released on anticipatory bail on furnishing bail bonds of Rs.500/- (Rupees Five Hundred) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kotwa P.S. Case No. 60 of 2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

8. However, the learned trial court, before accepting the bail bonds of the petitioner, shall verify the criminal antecedent of the petitioner and 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 to.

(Satyavrat Verma, J)

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