

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44934 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- RAJPUR District- Buxar

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Jhabbar Rai, Son Of Late Ramkrit Rai Village- Kochadhi, P.S.- Rajpur, Distt.-
Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.Humayou Ahmad Khan

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 12-07-2024 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 one case and the allegation is of
recovery of 16.8 litres of liquor from the vacant land of Chhedi
Rai behind the house of the petitioner.
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 he came to be implicated



at the instance of Chaukidar with whom he is on an inimical term.

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. 5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Court No.1, Buxar in connection with Rajpur P. S. Case No.132 of 2024, 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 one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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