

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51628 of 2024**

Arising Out of PS. Case No.-74 Year-2024 Thana- GOVINDPUR District- Nawada

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1. Indrajeet Rajbanshi @ Tulu Rajbanshi @ Tullu Son of Chandeo Rajbanshi Resident Of Vill- Vinayak, P.S.- Govindpur, District- Nawada
  2. Chando Rajbanshi Son of Kishun Rajbanshi Resident Of Vill- Vinayak, P.S.- Govindpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Sheo Kumar Prasad  
For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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

- 2      30-07-2024                      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 Sections 30(d) and 41 of the Excise Act.
3. The learned counsel for the petitioners submits that the petitioner no.1 is a person with clean antecedent and petitioner no.2 has antecedent of one case and the allegation is of recovery of 500 litres of sweet fermented liquor recovered from a place beside a water canal at village Vinayak and 200 litres of sweet fermented liquor from a passage of field at village- Gazipur.



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 Chaukidar with whom they are on an inimical term.

5. Learned A.P.P. 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 their furnishing bail-bonds in the sum of Rs. 5,000/- (Rupees Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-1, Nawada in connection with Govindpur P. S. Case No.74 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 no.1 has antecedent of even one case and petitioner no.2 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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