

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51462 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- Excise P.S. District- Rohtas

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Rohit Kumar @ Rohit Ranjan, Son of Satya Narayan Yadav @ Satyanarayan
Singh Resident of Village- Sikariyan , PS- Bikramganj , Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajani Kant Singh

For the Opposite Party/s : Mr.Rabindra Kumar- A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 30-07-2024 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 is a person with clean antecedent and the
allegation is of recovery of 45 litres of liquor from a bush and
11 litres of liquor from possession of three accused persons as
detailed in the F.I.R.
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 petitioner has no concern with the apprehended accused and he came to be implicated based on disclosure made by the local villager, but then, in majority of cases implicating innocent persons either at the behest of Chaukidar or local person, which cast an aspersion of the case of the prosecution as implication appears to be mechanical, when admittedly petitioner is a person with clean antecedent.

5. Learned A.P.P. Sri Rabindra Kumar opposes the anticipatory 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.500/- (Rupees Five Hundred) 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.282 of 2024 arising out of Bikramganj Excise P. S. Case No.48 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 even one case, in that event, the present anticipatory bail application shall not be given effect to.

(Satyavrat Verma, J)

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