

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55516 of 2024

Arising Out of PS. Case No.-211 Year-2024 Thana- JAKKANPUR District- Patna

Ravi Kumar Son of Vishnu Prasad Resident of Devi Mandir Gali, Jay Prakash
Nagar,P.S.-Jakkanpur, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Saurav Anand

For the Opposite Party/s : Mr. Suresh Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 07-08-2024 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
Bihar Prohibition and Excise Act, 2018.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of two cases and allegation is of
recovery of 24.3 litres of liquor from a motorcycle. It is next
submitted that petitioner was not arrested from the spot as such
nothing was recovered from his conscious possession and is not
the owner of the seized vehicle and he came to be implicated at
the instance of local person but then submits that police in
majority of the cases implicates either through chowkidar or
local person in a mechanical manner without holding a proper



investigation.

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

5. 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.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Jakkanpur P.S. Case No.211/2024, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

6. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is found that petitioner has antecedent of more than two cases, in that event, the present anticipatory bail order shall not be given effect to.

7. Today, 40 cases relating to excise were taken up. In 40 cases, there were 47 petitioners out of which 29 petitioners were persons with clean antecedent. Further, in 18 cases, the



recovery of liquor is less than 30 litres and in few cases the recovery was in between 3210 litres, as such, total amount of liquor alleged to have been seized is 3657.47 litres along with 1800 litres of jawa mahua, 1044 litres of spirit and 86 litres of Homeopathy solution, as such, the total seizure comes to 6501.47 litres.

(Satyavrat Verma, J)

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