

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.67105 of 2024**

Arising Out of PS. Case No.-145 Year-2024 Thana- ROSERA District- Samastipur

Ajit Kamti son of Lalan Kamti Village- Gayaghat, Ps- Rosera, Dist-  
Samstipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Pramod Kumar Singh  
For the Opposite Party/s : Mr.Rabindra Kumar

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

- 2      13-09-2024                      1.      Heard learned counsel for the petitioner and learned  
A.P.P. for the State, Shri Rabindra Kumar.
2.      The petitioner apprehends his arrest in a case registered  
for the offences punishable under Section 30(a) of the Bihar Excise  
Act.
3.      Learned counsel for the petitioner submits that the  
petitioner has antecedent of seven cases and allegation is of recovery  
of 69.120 litres of liquor from husk house of the petitioner at  
Gaighat.
4.      Learned counsel for the petitioner submits that the  
petitioner was not arrested from the spot as such nothing was  
recovered from his conscious possession and husk house is a place  
outside the house and is accessible to public at large. It is next  
submitted that the petitioner resides in a joint family property as such  
it cannot be alleged with certainty that it was petitioner who had kept



the liquor in the house or the liquor kept in the house within knowledge of the petitioner.

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

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 trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 35,000/- (Rupees Thirty Five 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 Rosera P.S. Case No. 145 of 2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. 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 the petitioner has antecedent of more than seven cases, in that event, the present anticipatory bail order shall not be given effect to.

**(Satyavrat Verma, J)**

SUMIT/-

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