

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64116 of 2024**

Arising Out of PS. Case No.-114 Year-2024 Thana- Excise P.S. District- Rohtas

Abhay Kumar Son of Dayanand Singh Resident of Village - Sikariya, P.S.-  
Karakat, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Nagendra Upadhyay

For the Opposite Party/s : Mr. Bishweshwar Ram

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

2      04-09-2024                      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 Sections 30(a) and  
62 of Bihar Prohibition and Excise Act, 2016.

3. Learned counsel for the petitioner submits that  
petitioner is a person with clean antecedent and allegation is of  
recovery of 52.92 litres of liquor from a Maruti Suzuki car and  
270 litres of liquor from cow-shed. It is next submitted 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 not the owner of the seized car and he came to be  
implicated based on confessional statement of Amit in police



custody, which does not have any evidentiary value.

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.500/- (Rupees five hundred) 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 Bikramganj Excise P.S. Case No.114/2024, 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 even one case, in that event, the present anticipatory bail order shall not be given effect to.

(Satyavrat Verma, J)

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