

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4385 of 2025

Arising Out of PS. Case No.-193 Year-2022 Thana- BUXAR INDUSTRIAL District- Buxar

Jitendra Singh @ Rahul Singh S/O Umesh Kumar Singh @ Vishambhar
Singh R/O- Village-Bhojpur Jadid, P.S-Dumraon, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashank Shekhar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 12-02-2025 Heard learned counsel for the petitioner as well as
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 Bihar Prohibition and Excise Act in connection with Buxar Industrial P.S. Case No.193 of 2022.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case, but then he was acquitted in the said case and allegation is of recovery of 51.840 liters of liquor from a motorcycle.

4. 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 motorcycle and he came to be implicated based on confessional statement of Rohit in police custody which does not have any evidentiary value.

5. The learned APP for the State 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 provisional anticipatory bail on his furnishing bail-bonds in the sum of Rs.5000/- (Rupees Five Thousand Only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.1, Buxar in connection with Buxar Industrial P.S. Case No.193 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. It is made clear that the learned trial court thereafter shall verify the criminal antecedent of the petitioner and in the event, if it is found that petitioner has more than one antecedents the provisional anticipatory bail shall not be confirmed, and if it is found that after verification that petitioner has antecedent of one case only, in that event, provisional



anticipatory bail shall be confirmed forthwith.

8. The application stands allowed.

(Satyavrat Verma, J)

Prakash Narayan

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