

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12335 of 2025

Arising Out of PS. Case No.-217 Year-2024 Thana- Excise Benipatti District- Madhubani

Jitan Panjiyar Son of Shree Vipat Panjiyar Resident of Village- Mukhiyapatti,
Ward No. 6, P.S.- Saharghat, Distt.- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha

For the Opposite Party/s : Mr. Chandra Bhushan Prasad- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 2 28-03-2025 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 has antecedent of two cases and the allegation is of recovery of 585 litres of liquor from a house alleged to be in possession of the petitioner.
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 the house does not belong to the petitioner rather is on a government land. It is further police in mechanical manner implicates the innocent



person.

5. Learned A.P.P. Sri Chandra Bhushan Prasad 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. 1,000/- (Rupees One Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Sessions Judge-2nd-cum-Special Judge, Excise Act, Madhuabi in connection with Benipatti Excise P. S. Case No.217 of 2024, G.R. No.3239 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 after accepting the provisional 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 more than two cases, in that event, the present provisional anticipatory bail order shall not be confirmed, but if on verification, it is found that petitioner has antecedent of only two cases, in that event, the



provisional anticipatory bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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