

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15765 of 2025

Arising Out of PS. Case No.-593 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Niraj Jaiswal S/O Sanjay Jaiswal @ Sanjay Prasad Jaiswal Resident of
Village- Ghorwa, P.S.-Muffasil, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhurendra Kumar
For the Opposite Party/s : Ms.Asha Kumari

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 216-04-2025
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 offences punishable under Sections 30(a), 32 and 41(1) of the Bihar Excise Act.
3.

Learned counsel for the petitioner submits that the petitioner has antecedent of one case and allegation is of recovery of 90.030 litres of liquor from a poultry farm of the petitioner.
4.

Learned counsel for the petitioner next submits that the petitioner was not arrested from the spot as such nothing was recovered from his conscious possession. It is further submitted that petitioner runs a grocery shop and poultry farm is



looked after by Anand, who was also apprehended from the spot. It is also submitted that no prudent person would use his own premises for committing an occurrence and thus would create evidence against himself and hence would get implicated. It is submitted that it appears that Anand misused the poultry farm of the petitioner for keeping liquor.

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 **Provisional anticipatory bail** on furnishing bail bonds of Rs. 5,000/- (Rupees 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 Motihari Muffasil P.S. Case No. 593 of 2024, subject to the conditions as laid down under Section 482(2) of the BNSS.

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



antecedent of one case in that event the provisional anticipatory
bail order shall be confirmed forthwith.

(Satyavrat Verma, J)

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