

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16525 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- KATORIYA District- Banka

Raju Darbey Son of Jairam Darbey Resident of Village- Darbey Patti, P.S.-
Katoriya, Distt.- Banka

.. ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr.Khurshid Anwar, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 08-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Katoriya P.S. Case no.39 of 2024 registered under Section
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, 20 liters of country
made liquor was recovered in two plastic gallons behind the
petitioner's house.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The name of
the petitioner has surfaced in this case only on suspicion. There
was no independent witness to the seizure list and no recovery
has been made from the conscious possession of the petitioner
or from his house. The alleged place is an open space which is
accessible to everyone. The petitioner has no criminal
antecedent and undertakes to cooperate in the case/trial.



5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. In view of the facts of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Katoriya P.S. Case no.39 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Exclusive Excise Court-II, Banka, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition the learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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