

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19322 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- JAKKANPUR District- Patna

Shashi Kant Kumar S/o Anaras Ray Resident of Mohalla- Chiraiyatand Khas Mahal, Road no. 3, P.S.- Jakkanpur, District- Patna (Bihar)

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamendra Prasad Singh, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018.

3. A perusal of the first information report and the seizure list would go to show that 40.110 liters of foreign liquor has been recovered from the house of one Chanda Devi, where the apprehended accused, Rahul Raj was staying on rent.

4. Learned counsel for the petitioner submits that the name of the petitioner transpired in in this case on the basis of confessional statement of apprehended accused, Rahul Raj before the police, which has no evidentiary value in the eye of law. As a matter of fact, the petitioner resides at Delhi and is



engaged in the business of ready-made garments and he has brought on record some related documents to substantiate the same by way of filing supplementary affidavit. It has also been submitted that no recovery has been made from the physical or conscious possession of the petitioner.

5. Learned APP for the State opposes the prayer for anticipatory bail and submits that the petitioner has one criminal antecedent of the same nature of the offence to which learned counsel for the petitioner responds that the petitioner has already been granted bail in the said case.

6. Considering the abovementioned facts and circumstances, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 Court below where the case is pending/successor Court in connection with Jakkanpur P.S. Case No.26 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482 (2) B.N.S.S. and subject to the further condition that:-



(i) The petitioner shall cooperate in the investigation/trial.

(ii) The court below shall 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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