

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34008 of 2025

Arising Out of PS. Case No.-211 Year-2019 Thana- ATHMALGOLA District- Patna

Rajeev Kumar S/O Jawahar Rai Resident of Village- Kalyanpur, P.S.-
Athmalgola, District- Patna

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashikant, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 30-06-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehend his arrest in connection
with Athmalgola P.S. Case no.211 of 2019 registered under
section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution case, a secret information
having been received that the petitioner along with others
involved in the business of liquor, the police party conducted
raid and a total of 10 liters of *mahua* liquor along with
incriminating articles were recovered near bank of river.

4. Learned counsel for the petitioner submits that no
recovery has been made from the conscious possession of the
petitioners and name of the petitioner has transpired on the
disclosure made by local *chowkidar* who has inimical terms



with the petitioner. Learned counsel for the petitioner further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that the petitioner has two criminal antecedents. In response, learned counsel for the petitioner submits that he is on bail in said cases.

6. Considering the aforesaid facts and circumstances 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 Athmalgola P.S. Case no.211 of 2019 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 Exclusive Special Court, Excise, Barh, 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 following conditions:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and



would make himself available before the Investigating Officer of the present case on an interval of every 15 days till the submission of the charge-sheet.

(III) 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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