

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35057 of 2025

Arising Out of PS. Case No.-206 Year-2019 Thana- GOVERNMENT OFFICIAL COMP.
District- Buxar

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Rajesh Kumar Jaiswal S/o Sidhnath Prasad R/o Village- Jamuawn, P.S.-
Itarhi, District- Buxar. At Present R/O Civil Line Buxar, P.S.- Buxar Town,
District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr.Nand Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 01-07-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Buxar Excise P.S. Case no.206 of 2019 registered under
Section 30(a) of the Bihar Prohibition and Excise Amendment
Act, 2018.
3. A perusal of F.I.R and seizure list would show 114
liters of beer and 89.460 liters of foreign liquor were recovered
from a Tata Ace vehicle bearing Registration No. BR44G3504.
5. Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R and cause of his false
implication is only for the reason that he happens to be the
registered owner of the seized vehicle. The said vehicle had



already been sold vide Annexure-P/2 in the year 2019 itself. No recovery has been made from the physical or conscious possession of the petitioner. There is no independent witness to the seizure list indicating mandatory violation of search and seizure. The petitioner undertakes to cooperate in the case/trial.

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

7. In view of the aforesaid 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 Buxar Excise P.S. Case no.206 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 Court below where the case is pending/successor Court, 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 investigation is concluded against the petitioner.

(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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