

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76818 of 2024

Arising Out of PS. Case No.-132 Year-2024 Thana- RAJPUR District- Rohtas

Deepak Ram Son of Late Ramji Ram R/O Village- Rajpur, P.S.- Rajpur,
District- Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Prasad, Advocate

For the Opposite Party/s : Mr.Gauri Shankar Gupta, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 18-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Rajpur P.S. Case No.132 of 2024 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. A perusal of the First Information Report and the seizure list would go to show that 5 liters of country made liquor has been recovered from the house of the petitioner.

4. Learned counsel for the petitioner submits that the house from where the recovery has been made is a joint family property and the said recovery was made at the back of the petitioner. As a matter of fact, no recovery has been made but the petitioner has been framed due to some village politics. It



has also been submitted that no recovery has been made from the physical or conscious possession of the petitioner and the mandatory provisions of the Cr.P.C. have also been violated as the seizure list has not been signed by any independent witness.

5. Learned APP submits that the petitioner has one criminal antecedent of the same nature 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 Exclusive Special Excise Court No.2-cum-District and Sessions Judge, Rohtas at Sasaram in connection with Rajpur P.S. Case No.132 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. 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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