

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88044 of 2024

Arising Out of PS. Case No.-909 Year-2024 Thana- Excise P.S. District- Lakhisarai

Sanjit Ram S/o Late RAMdev Ram R/o Village- Sansar Pokhar, Ward No.17,
P.S.- Kabiya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar
For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 08-01-2025 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Section 30(a) of the
Bihar Excise Act.

3. Learned counsel for the petitioner submits that the
petitioner has antecedent of five cases and allegation is of
recovery of 65.64 litres of liquor from a cowshed and place near
the cowshed of the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner was not arrested from the spot as such nothing was
recovered from his conscious possession and cowshed is a place
outside the house as such it cannot be alleged with certainty that
it was petitioner who had concealed the liquor in the cowshed or



some villagers used the cowshed for concealing the liquor. It is also submitted that some liquor was found from a place near the cowshed, which does not belong to the petitioner. It is next submitted that he came to be implicated because of his antecedents. It is further submitted that once an accused is implicated in a case relating to excise, the police starts implicating mechanically.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty-five Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Lakhisarai Excise P.S. Case No. 909C2/2024 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

7. It is made clear that the learned trial court before accepting the bail bonds of the petitioner shall verify the criminal antecedents of the petitioner and in the event if it is



found that the petitioner has antecedent of more than five cases,
in that event, the present anticipatory bail order shall not be
given effect to.

(Satyavrat Verma, J)

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