

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47648 of 2023

Arising Out of PS. Case No.-79 Year-2023 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAVI SINGH @ RAVINDRA KUMAR SON OF LATE RAMBALAKR
SINGH RESIDENT OF VILLAGE- MOHANPUR, WARD NO. 11, PS-
MUFASSIL, DIST- BEGUSARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarvottam Kumar, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd., APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection
with Mufassil P.S. Case No. 79 of 2023 for the offence
registered under section 30(a) of the Bihar Prohibition and
Excise Act lodged on 11.02.2023 by the informant, Manoj
Prasad.

As per the prosecution story, the police upon
information that this petitioner is selling country made liquor,
raided his house and recovered/seized 5 litres of country made
liquor from his house. Accordingly, the FIR.

Learned counsel for the petitioner submits that the
alleged recovery is from a joint house, he cannot be held



accountable for the said recovery/seizure and do not have criminal antecedent.

Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

Considering the fact that the alleged recovery is from a joint house, the petitioner do not have criminal antecedent, this Court is inclined to extend him privilege of anticipatory bail.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge-1, Excise Act, Begusarai in connection with Mufassil P.S. Case No. 79 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;



(iii) the petitioner shall appear before the concerned police station every month for next one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

With the aforesaid observations, the anticipatory bail application stands allowed.

(Rajiv Roy, J)

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