

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47839 of 2023

Arising Out of PS. Case No.-501 Year-2023 Thana- GOVERNMENT OFFICIAL COMP.
District- Lakhisarai

Subhash Kumar Son Of Birendra Kumar Sah @ Birendra Sao Resident Of
Village- Jamalpur Janta More, Ps- Adarsh Thana Jamalpur, Distt -Munger.
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Parmanand Pd. Nr. Sahi, Advocate
For the Opposite Party/s : Mr.Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

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

The petitioner apprehends his arrest in connection
with Lakhisarai Excise P.S. Case No.501C2 of 2023 instituted
under Section 30(a) of the Bihar Prohibition and Excise Act,
lodged on 15.05.2023 by the informant Guddu Kumar.

As per the prosecution story, the alleged recovery has
been attributed to one Juli Kumari 13.5 liters foreign liquor and
from Nandani Kumari 8.6 liters foreign liquor. The arrested
person has named this petitioner.

Learned counsel for the petitioner submits that the
recovery is/are made from Juli Kumari and Nandani Kumari and
petitioner name has come on confessional statement and do not
have criminal antecedent.



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

Considering the fact that alleged recovery is/are from Juli Kumari and Nandani Kumari, they have confessed the name of this petitioner, he do not have criminal antecedent, this Court is inclined to grant him privilege of anticipatory bail.

Let the petitioner be released on anticipatory bail, in the event of his arrest or surrender before the Sub-ordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each in connection with Lakhisarai Excise P.S. Case No.501C2 of 2023 to the satisfaction of learned Additional Sessions Judge, Vth-cum-Exclusive Special Judge, Excise, Lakhisarai, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. with further conditions that:

- (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 will make himself available to the police as and when required in course of investigation;
- (iii) 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;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(v) 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;

(vi) 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.

(Rajiv Roy, J)

Prakash Narayan

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