

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33325 of 2024

Arising Out of PS. Case No.-170 Year-2024 Thana- SHERGHATI District- Gaya

Sandeep Kumar son of Kameshwar Rajak Vill- Bishunpura, Ps-
Sherghati, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr.Anant Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Sherghatty P.S. Case No. 170 of 2024 instituted under Section 30(a) of Bihar Prohibition and Excise Act lodged on 7.3.2024 by the informant, Vijay Singh.

3. As per the prosecution story, the Police raided the house, the family members escaped, 12 liters of Indian Made Foreign Liquor recovered which followed the FIR.

4. Learned counsel for the petitioner that in an open house when the family members were not present, the recovery/seizure has been shown without any signature of any of them. Further, the petitioner do not have criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts that the



recovery/seizure from a house and the accused were not present there, they do not have criminal antecedent, this Court is inclined to extend his privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Sherghatty P.S. Case No. 170 of 2024 to the satisfaction of learned Exclusive Special Excise Court No.V, Gaya subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 co-operate in the investigation and make himself available to the police as and when required;

(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 his bail bonds.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

