

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33298 of 2024

Arising Out of PS. Case No.-108 Year-2024 Thana- JOGAPATTI District- West Champaran

Satrudhan Prasad Son of Daroga Prasad Resident of village - Loharpatiya,
Police Station - Lauriya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Yogapatti P.S. Case No. 108 of 2024 for the offence registered under sections 272 and 273 of the Indian Penal Code and section 30(a) of the Bihar Prohibition and Excise Act lodged on 16.03.2024 by the informant, Raghvendra Pratap.

3. As per the prosecution story, the informant alleged that upon information, a Maruti car was intercepted and 147.960 litres of illicit wine recovered/seized. This followed the F.I.R. naming the petitioner amongst other.

4. Learned Counsel for the petitioner submits that neither he has been apprehended from the spot nor the Maruti belongs to him. Further, he is not even the driver of the said



vehicle but only on the basis of hearsay information, implicated.

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

6. Taking into account the fact that he neither owns the vehicle nor is the driver, do not have criminal antecedent, F.I.R. lodged, will be facing the trial, this Court is inclined to extend him privilege of anticipatory bail.

7. 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, Excise-II, Bettiah, West Champaran in connection with Yogapatti P.S. Case No. 108 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives 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 fortnight for next six months 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.

(Rajiv Roy, J)

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