

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32174 of 2024

Arising Out of PS. Case No.-62 Year-2024 Thana- RAGHUNATHPUR District- Siwan

Kranti Yadav SON OF Umesh Yadav RESIDENT OF VILLAGE-
DAHABARI, PS- ANDAR, DIST- SIWAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Ajay Kumar No. 2, A.P.P.

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 Raghunathpur P.S. Case No. 62 of 2024 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 12.03.2024 by the informant, Birju Kumar.

3. As per the prosecution story, the informant alleged that upon secret information that in two motorcycles, five persons are carrying a sack having liquor and altogether, 144.980 litres of country made/foreign liquor recovered/seized which followed the F.I.R.

4. Learned Counsel for the petitioner submits that neither the liquor and/or the motorcycles which were



seized/recovered belongs to him and only on the confessional statement of those arrested, his name has come. Further, he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that his name has come in the confessional statement.

6. Taking into account the aforesaid submissions put forward by the parties as also the fact that the motorcycle does not belong to him and do not have criminal antecedent, 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 Court No. II, Siwan in connection with Raghunathpur P.S. Case No. 62 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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