

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32668 of 2024

Arising Out of PS. Case No.-99 Year-2024 Thana- BAKHTIYARPUR District- Patna

Jai Prakash Singh @ Jai Prakash Kumar Son of Late Krishna Nandan Singh
Resident of Village- Mahamudpur, Ward no 20 P.S.- Bakhtiyarpur, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2024 Heard Mr. Kumar Manglam, learned counsel for the

petitioner and Mr. Jitendra Kumar Singh, learned APP for the

State.

2. The petitioner is apprehending arrest in connection
with Bakhtiyarpur P.S. Case No. 99 of 2024 instituted under
Sections 30(a) of the Bihar Prohibition & Excise Act, 2016
lodged on 26.2.2024 by the informant, Shankar Paswan.

3. As per the prosecution story, the allegation is that
upon secret information, the house of the petitioner was raided,
35 liters of country made liquor was recovered/seized.
Accordingly, the FIR.

4. Learned counsel for the petitioner submits that
actually recovery is not from the house rather from outside of



the house. Further, even the house does not belong to him and it is a joint property and only because he has criminal antecedent of the same nature, has been implicated. Further, he is ready to diligently appear in trial.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid submissions/facts, recovery is from the place outside the house, FIR lodged, will be facing the trial, this Court is inclined to extend her 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 Bakhtiyarpur P.S. Case No. 99 of 2024 to the satisfaction of learned Exclusive Special Judge, Excise, Barh 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 appear before the concerned police station every month for next one year to mark his 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 his bail bonds.

(Rajiv Roy, J)

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