

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33843 of 2024

Arising Out of PS. Case No.-19 Year-2024 Thana- JIRADEI District- Siwan

Alok Yadav Son of Ramakant Yadav R/o Village- Ruiya, P.S.- Ziradei, Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Kirti, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Ziradei P.S. Case No. 19 of 2024 for the offence under Sections 30(A) of the Bihar Prohibition and Excise Act, 2016 lodged on 15.02.2024 by the informant, Dinesh Kumar.

3. As per the prosecution story, police upon secret information, raided the place of the petitioner and behind his house in the toilet recovered/seized 117 liters of country-made liquor. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from an open place and not from his house. Further he submits that the petitioner do not have any criminal antecedent.



5. Learned APP opposes the prayer.

6. Taking into account the aforesaid submission as also the place of recovery/seizure coupled with the fact that the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Spl. Judge (Excise) 1st, Siwan in connection with Ziradei P.S. Case No. 19 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative 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 appear before the concerned police station every fortnight for next six months to mark his 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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