

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33878 of 2024

Arising Out of PS. Case No.-418 Year-2023 Thana- GOGRI District- Khagaria

Rahul Kumar @ Manish Kumar SON OF RAM KUMAR MANDAL
VILLAGE- PATEL TOLA GOGRI, PS- GOGRI, DIST- KHAGADIYA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aadesh Raj Singh, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Gogri P.S Case no. 418/2023 registered under Section 30(a) of the Bihar prohibition and Exercise Amendment act 2022 lodged on 11.11.2023 by the informant, Manish Prasad.

3. As per the prosecution story the informant alleged that on the basis of secret information, the police raided the house of the petitioner and recovered/seized 2.4 litre corex cough syrup. Accordingly the F.I.R.

4. Learned counsel for the petitioner submits that it is a joint house, he do not have any role to play and do not have criminal antecedent.

5. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail.

6. Taking into account the fact that the recovery/seized from a joint house and the petitioner do not have criminal antecedent, this Court is inclined to grant 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 Additional District and Session Judge-1- Exclusive cum Special Judge Excise court, Khagariya in connection with Gogri P.S Case No. 418/2023 subject to condition 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/her 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 his 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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