

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 39994 of 2024

Arising Out of PS. Case No.-256 Year-2023 Thana- AKHODHIGOLA District- Rohtas

Anugrah Singh Son of Jagarnath Singh R/O Vill.- Jainagar, P.S.- Akorhigola,
Dist.- Rohtas

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashutosh Tripathy, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-07-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Akorhigola P.S. Case No. 256 of 2023 for the offence punishable under sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2016 lodged on 03.12.2023 by the informant, Vasudev Paswan.

3. As per the prosecution story, the informant alleged that upon secret information, the place near JBL factory was raided and two bags containing 55 liters of country made liquor seized. The local Chowkidar gave the name of the persons who escaped as this petitioner. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that a perusal of the FIR would show that the recovery is from an open place and only due to enmity, the Chowkidar named him.



5. Learned APP opposes the prayer.

6. Taking into account the aforesaid submissions as also the fact that the recovery is from an open place and 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 Special Judge, Excise Court No. 1 Rohtas at Sasaram, in connection with Akorhigola P.S. Case No. 256 of 2023 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)

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