

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40930 of 2024

Arising Out of PS. Case No.-82 Year-2024 Thana- PAROO District- Muzaffarpur

Ghanshyam Kumar @ Dhanshyam Kumar Son of Krishna Prasad Rastogi
R/O Vill.- Jafarpur, P.S.- Paroo, Dist.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pranav Kumar, Advocate Mr. Rajeev Ranjan No. II, Advocate Mrs. Priyanka Kumari, Advocate
For the Opposite Party/s	:	Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-07-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Paroo P.S. Case No. 82 of 2024 for the offence punishable under section 30(a) of the Bihar Prohibition and Excise Act, 2022 (Amended) lodged on 24.03.2024 by the informant, Pankaj Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, behind the temple 10.125 liters foreign liquor recovered . The chowkidar named this petitioner besides Suman Kumar to be the persons who were there and escaped. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that only because of enmity and criminal antecedent of the same nature,



the chowkidar named him. Further, he is ready to face the trial.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts as also the fact that the recovery/seizure is from an open place, FIR lodged and will be facing the trial, 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. II, Muzaffarpur, in connection with Paroo P.S. Case No. 82 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)

kiran/-

U		T	
---	--	---	--

