

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40815 of 2024**

Arising Out of PS. Case No.-29 Year-2024 Thana- JAMALPUR District- Darbhanga

1. MANOJ PANJIYAR @ MANOJ PARIHAR SON OF LATE DUKHA PANJIYAR @ DUKHA PARIHAR RESIDENT OF VILLAGE - BHUBHAUL, P.S. - JAMALPUR, DISTRICT - DARBHANGA
2. RAM UDGAR SHARMA @ UDGAR CHAUPAL SON OF LATE SUBHILAL CHAUPAL @ SUBHILAL SHARMA RESIDENT OF VILLAGE - BHUBHAUL, P.S. - JAMALPUR, DISTRICT - DARBHANGA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

|                          |   |                                       |
|--------------------------|---|---------------------------------------|
| For the Petitioner/s     | : | Mr. Aniket Kumar Thakur, Advocate     |
|                          |   | Mr. Saurav Anand, Advocate            |
| For the Opposite Party/s | : | Mr. Shahabuddin Azeem @ S. Azeem, APP |

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      10-07-2024                      Heard Mr. Aniket Kumar Thakur, learned counsel for  
the petitioners and the State

2. The petitioners are apprehending their arrest in connection with Jamalpur P.S. Case No. 29 of 2024 for the offence under Section 30(a) of the Bihar Prohibition & Excise Act, 2018 lodged on 23.03.2024 by the informant, Ajeet Kumar.

3. As per the prosecution story, the informant upon secret information apprehended a scooty with a disabled person and two others and recovered 22.5 liters of foreign liquor. Upon inquiry, they gave the name of the two escaped persons as the petitioners herein. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that



admittedly, the recover/seizure is from the three accused persons, due to enmity they have been named and the last submission is that both of them do not have any criminal antecedent.

5. Learned APP opposes the prayer stating that those apprehended, named them.

6. In the aforesaid circumstance and the submissions put forward by the learned counsel for the petitioners and taking into account that none of them have any criminal antecedent, this Court is inclined to extend them privilege of anticipatory bail with conditions.

7. However, if it is found that the petitioners do have criminal antecedent, the order shall become infructuous.

8. Let the petitioners be released on bail in the event of their 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-II (Excise Act), Darbhanga in connection with Jamalpur P.S. Case No. 29 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 petitioners who shall provide official document to show their bona fide;



(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioners 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

9. Before parting, this Court would like to put on record its word of appreciation for Mr. Aniket Kumar Thakur appearing on behalf of the petitioner for the assistance rendered in the case.

**(Rajiv Roy, J)**

Adnan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

