

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40914 of 2024

Arising Out of PS. Case No.-110 Year-2021 Thana- TANKUPPA District- Gaya

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Ravindra Kumar SON OF Raghunandan Yadav VILLAGE- AGRAILIKALA,
PS- CHANDAUTI, DIST- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amritanshu Dangi, Advocate

For the Opposite Party/s : Mr. Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 10-07-2024 Heard Mr. Amritanshu Dangi, learned counsel for
the petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Tankuppa P.S. Case No. 110 of 2021 for the offence punishable under section 30(a) of Bihar Excise Prohibition (Amendment) Act 2018 lodged on 22.11.2021 by the informant, Shatrughna Paswan.

3. As per the prosecution story, the informant alleged that a motorcycle was intercepted and 10 litres of country made liquor recovered/seized. As the petitioner was found to be the registered owner, the FIR against him.

4. Learned counsel for the petitioner submits with the help of Annexure-2 that he had sold the motorcycle on 25.10.2015 itself to one Dharmendra Kumar who failed to get it



transferred and in that background, he was implicated and he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that the recovery/seizure is from a motorcycle which admittedly belonged to the petitioner.

6. Taking into account the aforesaid submissions put forward by the parties as also the fact that the document on record shows that he had sold the motorcycle long back, he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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

8. 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 Excise, Court No.-2, Gaya, in connection with Tankuppa P.S. Case No. 110 of 2021 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.

9. Before parting, this Court would like to put on record its word of appreciation for Mr. Amritanshu Dangi, learned counsel for the petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

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