

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42114 of 2024

Arising Out of PS. Case No.-23 Year-2024 Thana- KIUL District- Lakhisarai

Darogi Yadav SON OF BAIJU YADAV VILLAGE- SINGHCHAK, PS-
KIUL, DIST- LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar, Advocate
For the Opposite Party/s : Mrs.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-07-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Kiul P.S. Case No. 23 of 2024 instituted under Section 30(a) of Bihar Prohibition and Excise Act lodged on 25.3.2024 by the informant, Ramesh Paswan.

3. As per the prosecution story, the informant alleged that on the secret information, a motorcycle was intercepted and 25 liters of country made Mahua liquor recovered/seized which led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from the motorcycle which does not belong to him, it was recovered/seized and one Raju Kumar was arrested who due to enmity named him. The last submission is he do not have criminal antecedent.



6. Learned APP opposes the prayer submitting that the apprehended person has named him.

7. Taking into account the aforesaid facts as also that nothing has been recovered from his conscious possession nor the motorcycle belongs to him and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail. If, however, it is found that the petitioner has criminal antecedent, this order shall become infructuous.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Kiul P.S. Case No. 23 of 2024 to the satisfaction of learned Additional District & Sessions Judge V cum Exclusive Special Excise Court No.II, Lakhisarai subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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)

Ravi/-

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

