

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42130 of 2024

Arising Out of PS. Case No.-76 Year-2024 Thana- RANIYATALAB District- Patna

Pintu Choudhary @ Pintu Kumar S/o Guhari Chaudhari R/o Village-Rani Talab, P.S.-Rani Talab, District-Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Kumar, Adv
For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Rani Talab P.S. Case No. 76 of 2024 registered under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 07.03.2024 by the informant, Ashutosh Kumar Rai.

3. As per the prosecution story, the police upon secret information went to the place and saw one person trying to escape after dropping the gallons. The local guard gave the name of this petitioner. From the said gallons, there was/were 20 liters of countrymade wine recovered/seized. Accordingly the F.I.R.

4. Learned counsel for the petitioner submits that the



local watchman has named him due to enmity, he do not have criminal antecedent and admittedly, the recovery is from an open place and not from his conscious possession.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that on secret information the police went to the place.

6. Taking into account the aforesaid facts as also the recovery/seizure is from an open place and the petitioner do not have criminal antecedent, this Court is inclined to grant him privilege of anticipatory bail.

7. Let the petitioner, in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court of Special Excise Judge, Danapur in connection with Rani Talab P.S Case No. 76 of 2024 subject to condition 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/her 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 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 his 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 the bail bonds.

(Rajiv Roy, J)

Jagdish/-

U			
---	--	--	--

