

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42217 of 2024

Arising Out of PS. Case No.-12 Year-2024 Thana- MEHANDIGANJ District- Patna

Raja @ Malda Son of Hiranman Kewat @ Hiranmani Kewat R/O Mohalla-
Ranipur Rasulpur, P.S.- Mehdiganj, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar, Adv

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, 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 PTN- 123 of 2024 arising out of Mehadiganj P.S. Case No.
12/24 registered under Section 30(a) of the Indian Penal Code
lodged on 17.01.2024 by the informant, Srishti Kanth.

3. As per the prosecution story, the police alleged that
on suspicion, one person was apprehended with a white sack and
there was recovery of 2.4 liters countrymade liquor. Accordingly
the F.I.R.

4. Learned counsel for the petitioner submits that
apprehended person Rahul Kumar named him which led to his
implication. He further submits that nothing has been recovered
from his conscious possession and he do not have criminal



antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail stating that he has been named by Rahul Kumar.

6. Taking into account the fact that alleged recovery/seizure of 2.4 liter countrymade liquor is from Rahul Kumar, do not have criminal antecedent and ultimately he will be facing the trial, 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 Exclusive Special Court of Excise, Patnacity in connection with A.B.P. No 844 of 2024 arising out of Mehadiganj P.S. Case No. 12 of 24 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)

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