

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46227 of 2024

Arising Out of PS. Case No.-69 Year-2024 Thana- PALASI District- Araria

MUKESH KUMAR YADAV @ MUKESH KUMAR @ MUKESH LAL
YADAV @ MUKESH YADAV SON OF KISHAN YADAV @ KISHAN LAL
YADAV VILLAGE- NIRAKOL, IPRA, WARD NO. 4, P.S.- PALASI,
DISTT.- ARARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None.
For the Opposite Party/s : Ms.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-07-2024 None appears for the petitioner though the State is present.

2. The petitioner is apprehending arrest in connection with Palasi P.S. Case No. 69 of 2024 instituted under Section 30(a) of the Bihar Prohibition & Excise (Amendment) Act, 2018 lodged on 21.2.2024 by the informant, Vijay Kumar Sharma.

3. From the FIR, it seems that the police upon information raided the shop and recovered 8.100 liters of Nepali liquor. Accordingly, the FIR.

4. As per the petition, the alleged recovery is from the rooftop of the shop which is an open place and accessible to everyone.



5. Learned APP opposes the prayer.

6. Taking into account the place of recovery as also the fact that the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail.

7. 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 Palasi P.S. Case No. 69 of 2024 to the satisfaction of learned Exclusive Special Judge, Excise-II, Araria 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)

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