

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46254 of 2024

Arising Out of PS. Case No.-142 Year-2024 Thana- BHAGWANPUR District- Begusarai

1. Manish Kumar Son of Vinod Kumar Singh Resident of Vill- Makhwa, W. No. 06, P.S.- Bhagwanpur, District- Begusarai.
2. Vinod Kumar Singh @ Vinod Singh Son of Late Basudev Singh Resident of Vill- Makhwa, W. No. 06, P.S.- Bhagwanpur, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate
For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-07-2024 Heard the parties.

2. The petitioners are apprehending arrest in connection with Bhagwanpur P.S. Case No. 142 of 2024 instituted under Sections 30(a),(c),(d),(f)/36 of Bihar Prohibition and Excise (Amendment) Act lodged on 01.06.2024 by the informant, Rajiv Kumar Singh.

3. As per the prosecution story, the informant alleged upon information about the illicit liquor business, he reached the spot and apprehended one Asish Kumar Singh but other accused persons disappeared and after search of the house of Akhilesh Kumar, who is brother of the petitioner no.1 and son of the petitioner no.2, there is recover of altogether 82.770 liters



of foreign liquor. Accordingly, the FIR.

4. Learned counsel for the petitioners submit that only because they are family members of Akhilesh Kumar, implicated and they do not have criminal antecedent.

5. Learned APP opposes the prayer stating that allegations have come against all the accused persons.

6. Considering the fact that the recovery/seizure in the FIR has been attributed to Akhilesh Kumr, the petitioners are family members, do not have criminal antecedent, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their 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) each with two sureties of the like amount each in connection with Bhagwanpur P.S. Case No. 142 of 2024 to the satisfaction of learned Exclusive Special Excise Judge-1, Begusarai 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 petitioners who shall provide official document to show his/her bona fide;



(ii) the petitioners 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 their bail bond by the Trial Court itself;

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

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners 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;

(vi) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Rajiv Roy, J)

Ravi/-

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

