

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51508 of 2024

Arising Out of PS. Case No.-547 Year-2024 Thana- Excise P.S. District- Aurangabad

Sakal Ram S/o Late Rajdeo Ram R/o vill - Dhirsindi, P.S. - Nabinagar, Distt. -
Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Singh, Advocate
For the State	:	Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-08-2024 Heard Mr. Ashok Singh, learned counsel for the
petitioner and Mr. Parmanand Prasad, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 547 of 2024 for the offence under Sections 30(a) and 32(3) of Bihar Prohibition & Excise Act lodged on 05.06.2024 by the informant, Sakaldev Kumar Tanti.

3. As per the prosecution story, the police intercepted a motorcycle and recovered/seized 8.64 illicit country made liquor from Manish Kumar Paswan, the son-in-law of the petitioner. As the vehicle is arrested in the name of the petitioner. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that Manish Kumar Paswan is his son-in-law and out of love and



affection he had gifted the said vehicle to him, little realizing that it will result into lodging of the F.I.R. against him as the purchase was made in his own name, further, he do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that the petitioner owns the vehicle..

6. Taking into account the aforesaid facts as also that admittedly, Manish Kumar Paswan has been arrested with the illicit country made liquor and he 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 arrest or surrender 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 like amount each to the satisfaction of learned Special Judge, Excise-II, Aurangabad, in connection with Excise P.S. Case No. 547 of 2024, subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following 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;

(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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