

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56056 of 2024

Arising Out of PS. Case No.-28 Year-2024 Thana- KURSAKANTA District- Araria

Ram Kumar @ Ram Mandal Son of Ramprasad Mandal Resident of Vill-
Kuwari, Ward No.11, P.S.- Kuwari, Kursakanta, District- Araria-854332

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tarun Kumar Shekhar, Adv.

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 04-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Kursakanta P.S. Case No. 28 of 2024 for the offence
registered under sections 30(a) of Bihar Prohibition and Excise
Act, 2022 lodged on 28.02.2024 by the informant Sanjeev
Kumar.

3. As per the prosecution story, while checking at
Bhalua bridge, saw two persons coming from Nepal having a
sack. As they were asked to stop, tried to escape, one of the
persons managed to escape while the other with the sack on his
head was apprehended and there is recovery of 18 litre Nepali
liquor. Upon query, he gave the name of the petitioner.
Accordingly, the FIR.



4. Learned counsel for the petitioner submits that his name has come in the confessional statement before the police, do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the aforesaid submissions as also the fact that his name has come in the confessional statement and nothing recovered from his conscious possession, he do not have criminal antecedent, this Court is inclined to grant him the anticipatory bail with conditions.

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 A.D.J.-cum-Special Judge Excise-II, Araria in connection with Kursakanta P.S. Case No. 28 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 members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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

