

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60991 of 2024

Arising Out of PS. Case No.-151 Year-2024 Thana- SISWAN District- Siwan

Shree Vijay Yadav @ Vijay Yadav Son of Yamuna Yadav R/V- Village-
Bhagar, P.S.- Siswan, distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Adv.

For the Opposite Party/s : Mr.Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-09-2024

Heard the parties.

2. The petitioner is apprehending his arrest in connection with Siswan P.S. Case No. 151 of 2024 for the offence under sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022 lodged on 11.05.2024 by the informant, Suresh Yadav.

3. As per the prosecution story, the informant alleged that the petitioner along with one Guddu Yadav are in the business of sale of illicit liquor, the said place was raided. Though the accused managed to escape, from the sack which was left behind, 72 litres of illicit liquor has been recovered. The name of the petitioner has transpired in the statement of Chaukidar. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the



petitioner has got no criminal antecedent. The allegation is against Guddu Yadav, still he has been dragged in this case.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid facts/submission put forward by the parties, the petitioner has got no criminal antecedent, the FIR has been lodged, he will facing the trial, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner, above named, 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 Exclusive Special Excise Court no. II, Siwan in connection with aforesaid PS Case, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

(i) one of the bailors 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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