

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60825 of 2024**

Arising Out of PS. Case No.-135 Year-2020 Thana- GOVERNMENT OFFICIAL COMP.  
District- Purnia

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Raj Kumar @ Raj Kumar Sah S/O Late Kishun Deo Sah R/O Village-  
Ranipatra Sah Tola, P.S- Muffasil, Distt.- Punrea.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rabindra Kumar Priyadarshi  
For the Opposite Party/s : Mr. Ramchandra Sahni

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      11-09-2024                      Heard Mr. Ravindra Kumar Priyadarshi, learned  
Counsel for the petitioner and State.

2. The petitioner is apprehending his arrest in connection with Case No. C1-135/ 2020 for the offence under Section 30(a) of Bihar Prohibition & Excise Act lodged on 07.06.2020 by the informant, Suman Kant Jha.

3. As per the prosecution story, informant alleged that on the raid conducted in the house of the petitioner 43.200 litre foreign liquor recovered/seized which followed the F.I.R.

4. Learned counsel for the petitioner submits that nothing has been recovered from the conscious possession rather it is from joint house which cannot be attributed to him. The last submission is that he do not have criminal antecedent.



5. Learned APP opposes the prayer submitting that the recovery is from the house.

6. Taking into account the aforesaid facts/submissions as also that there is no recovery from his conscious possession and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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) each with two sureties of like amount each to the satisfaction of learned Special Judge, Excise II, Purnea, in connection with Case No. C1-135/2020 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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)**

Nirajkrs/-

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