

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60700 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- SONAMANI District- Araria

Yunus Ansari @ Yunus Son of Abdul Warik R/V- Village- Dumariya, Ward
No. 02, P.S.- Sonamani Gudam, Distt.- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Indu Kumari Srivastava, 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 Sonamani Gudam P.S. Case No. 31 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 01.06.2024 by the informant, Om Prakash Singh.

3. As per the prosecution story, the informant alleged that during patrolling, he intercepted a tempo. Though, the accused managed to escape, there is recovery of 40 liters of country made liquor and a mobile. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that neither the tempo belongs to him nor he is the driver but due to enmity his name came. The last submission is that he does not



have criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties as also that the petitioner do not own the tempo nor according to him is the driver and further 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 Additional District Judge-cum-Special Judge Excise-IIInd, Araria, in connection with Sonamani Gudam P.S. Case No. 31 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/her



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/her bail bonds.

(Rajiv Roy, J)

vinayak/-

U			
---	--	--	--

