

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60915 of 2024

Arising Out of PS. Case No.-193 Year-2024 Thana- AMNAUR District- Saran

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Santosh Prasad @ Santosh Kumar @ Santosh Kumar Prasad Son of Bhusan
Prasad R/o Village- Shekh pura, P.S.- Amnaur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-09-2024 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Amnour P.S. Case No. 193 of 2024 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act lodged on 22.06.2024 by the informant Suchit Kumar.

3. As per the prosecution story, the informant upon information, during patrolling raided the backward of the High School and recovered 14.04 litre English wine. One person managed to escape and he was named as this petitioner. Accordingly, the FIR.

4. Learned Counsel for the petitioner submits that only because of his criminal antecedent, implicated. Nothing recovered from his conscious possession.



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

6. Taking into account the aforesaid facts as also that the recovery is from the backyard and not from his conscious possession, 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 1st Special Judge, Excise, Saran in connection with Amnour P.S. Case No. 193 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/-

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