

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60840 of 2024

Arising Out of PS. Case No.-30 Year-2024 Thana- Bodhibigaha District- Gaya

Ramjanam Ram Son of Tapeshwar Ram Village- Sildiliya, P.S.- Dumariya,
Bodhi Bigha, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-09-2024 Heard Miss Swati Parmar, learned Counsel for the
petitioner and the State

2. The petitioner is apprehending his arrest in connection with Bodhi Bigha P.S. Case No. 30 of 2024 for the offence under Section 30(a) of Bihar Prohibition & Excise Amendment Act lodged on 01.06.2024 by the informant, Muneshwar Prasad Mandal.

3. As per the prosecution story, the allegation is that upon confidential information, the house of the petitioner was raided and fifteen litre country made liquor has been recovered/seized. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that admittedly, the recovery is from a joint house, which cannot be attributed to him. Nothing has been recovered from his



conscious possession and further he do not criminal antecedent.

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

6. Taking into account the submissions as also the fact that there is no recovery from his conscious possession and this petitioner 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 Exclusive Judge No. III, Gaya, in connection with Bodhi Bigha P.S. Case No. 30 of 2024 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.

8. Before parting, this Court would like to put on record its words of appreciation for Miss Swati Parmar, representing the petitioner for the proper assistance rendered.

(Rajiv Roy, J)

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