

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65159 of 2024

Arising Out of PS. Case No.-97 Year-2024 Thana- Dehri Mufassil District- Rohtas

Baijnath Singh @ Baijnath Yadav @ Vaijnath Singh S/o Lalan Singh @ Lalan
Yadav R/o vill - Subba Bigha, P.S. - Dehri (M), Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate
For the State : Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-10-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Dehari (Mu) P.S. Case No. 97 of 2024 for the offence under Section 30(a) of Bihar Prohibition and Excise Act, lodged on 12.06.2024 by the informant, Roopnarayan Paswan.

3. As per the prosecution story, the informant alleged that upon secret information that something yellow coloured has been kept, it was searched and upon search found three transparent polythene bags containing 5 liters each country made liquor recovered/seized. The local chowkidar named the petitioner. Accordingly, the F.I.R.

4. Learned counsel for the petitioner submits that he is an aged person and he has been named only because of



criminal antecedent.

5. Learned APP opposes the prayer.

6. Considering the submission put forward by the parties as also the fact that the recovery is not from his conscious possession, the chowkidar has named him, 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 Exclusive Special Judge, Excise Court No.-I, Rohtas at Sasaram, in connection with Dehari (Mu) P.S. Case No. 97 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)

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