

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65269 of 2024

Arising Out of PS. Case No.-212 Year-2024 Thana- NAWANAGAR District- Buxar

Rishi Kumar @ Bhuar Son of Pramod Kumar Resident of Village Kesath, P.S.
-Nawanagar, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Pandey, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-10-2024 Heard the parties.

2. The petitioner is apprehending arrest in connection with Nawanagar P.S. Case No. 212 of 2024 instituted under Section 30(a) Bihar Excise Act lodged on 13.07.2024 by the informant, Munna Kumar Yadav.

3. As per the prosecution story, the police while patrolling got secret information and though the accused managed to escape, 580 mili liters of foreign liquor recovered from the house of late Ram Singhashan Singh. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from the house of late Ram Singhashan Singh who has no role to play in his life inasmuch as in no way is related to the said person. Further, he is a student, having no



criminal antecedent.

5. Learned APP opposes the prayer submitting that the police the got the name of two accused persons including the petitioner as the persons who escaped.

6. Taking into account the aforesaid facts as also he is 19 years of age, having no criminal antecedent, the recovery is not from his conscious possession, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Nawanagar P.S. Case No. 212 of 2024 to the satisfaction of learned Excise Special Judge, Court No.2, Buxar subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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



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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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)

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