

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65419 of 2024

Arising Out of PS. Case No.-150 Year-2024 Thana- GANGABRIDGE District- Vaishali

Abhishek Kumar Son of Pawan Rai Resident of Village - Litiyali, Police
Station - Ganga Bridge, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sweety Sinha, Advocate
For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-10-2024 Heard Mrs. Sweety Sinha, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Ganga Bridge P.S. Case No. 150 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 31.07.2024 by the informant, Suman Saurabh.

3. As per the prosecution story, the informant alleged that upon information that the accused persons are carrying liquor in cars, it was intercepted and from search of Nano as well as Alto cars 540 liters of country-made liquor recovered/seized. The accused managed to escape, whereafter the FIR.

4. Learned counsel for the petitioner submits that he has been falsely implicated in the case, nothing has been recovered from his conscious possession nor any of the cars belong to him. Further, without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he



is ready to pay Rs. 20,000/- to the District Legal Services Authority, Vaishali at Hajipur (exclusively for the purchase of journals).

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Considering the submissions put forward by the parties as also that the cars do not belong to him nor anything has been recovered from his conscious possession, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 20,000/- to the District Legal Services Authority, Vaishali at Hajipur for the purchase of journals which has to be submitted by way of Bank Draft addressed to the District Legal Services Authority, Vaishali at Hajipur at the time of execution of bail bond.

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 Special Excise Court No. 1-cum-Additional District and Sessions Judge, Vaishali at Hajipur in connection with Ganga Bridge P.S. Case No. 150 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.

(Rajiv Roy, J)

Adnan/-

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