

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 75532 of 2024

Arising Out of PS. Case No.-514 Year-2024 Thana- FATEHPUR District- Gaya

Krishna Sao Keshri @ Latan Keshri Son of Kedar Sao Keshri Resident of
Vill- Dumari Chatti, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 22-11-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Fatehpur P.S. Case No. 514 of 2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018 lodged on 18.08.2024 by the informant, Sanjay Kumar Yadav.

3. As per the prosecution story, during the checking of vehicle, police caught two persons alongwith motorcycle. Upon search, 3.86 litres of illicit foreign made liquor has been recovered from their possession and the same was seized. During the course of inquiry, they confessed that the motorcycle used in this incident belongs to the petitioner.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case and the petitioner in no way concerned with the alleged recovery. He further submits that the name of the petitioner has come in this case only on the confessional statement of other co-accused and the antecedent of the petitioner is clean.

5. Learned APP opposes the prayer for bail.

6. From F.I.R. of the case it appears that noting incriminating has been recovered from the conscious possession of the petitioner and his name has come appeared in this case only on the confessional statement of the co-accused before the Police. Keeping in view the aforesaid facts, 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) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No. 4, Gaya, in connection with Fatehpur P.S. Case No. 514 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 bail bond by the Trial Court itself;

(iii) 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;

(iv) 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.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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