

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79547 of 2024

Arising Out of PS. Case No.-130 Year-2024 Thana- RISIYAP District- Aurangabad

Rambabu Singh @ Rahul Kumar Singh S/o Surendra Singh R/o vill -
Punawar, P.O.- Sundarganj, P.S. Risiup, Distt.- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Advocate

For the Opposite Party/s : Mr. Sucheta Yadav, APP

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

ORAL ORDER

2 02-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Risiup P.S. Case No. 130 of 2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, 2018 lodged on 22.09.2024 by the informant, Manoj Kumar Singh.

3. As per the prosecution story, the informant alleged that on secret information when police has raided the place of occurrence they tried to catch the miscreant but he fled away throwing a sack in a semi-constructed house and further recovery of 6.120 litre of country made liquor has been made.

4. Learned counsel for the petitioner submits that the illicit liquor has not been recovered from the conscious



possession of the petitioner. He further submits that the place of seizure is semi-constructed house which is freely accessible to every passerby. The petitioner has no concern or knowledge of alleged seized illicit liquor and the said place does not belong to the petitioner. His last submission is that the antecedent of the petitioner is clean.

5. Learned APP opposes the prayer for bail.

6. Taking into account the fact that the petitioner has clean antecedent and the said semi-constructed house does not belong to the petitioner, 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 Special Judge, Excise second, Aurangabad in connection with Risiup P.S. Case No. 130 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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