

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82704 of 2023

Arising Out of PS. Case No.-601 Year-2023 Thana- Excise P.S. District- Rohtas

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AJIT SINGH @ AJEET SINGH S/O VINOD SINGH R/O VILLAGE -
DHARUPUR, WARD NO. 21, P.S. - BIKRAMGANJ, DISTRICT- ROHTAS

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anand Kishore Choudhary, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

4 07-03-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bikramganj Excise Case No. 601 of 2023 (arising out of Excise Bikramganj P.S. Case No. 03 of 2023) for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018, lodged on 04.05.2023, by the informant, Dharendra Prasad Shrivastava.

3. As per the prosecution story, the informant alleged that upon secret information, the house of the Amit Tiwari was raided and altogether six liters of English wine recovered/seized from the bag. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that neither the recovery is from his house nor he is Amit Tiwari and only because Amit Tiwari gave his name in the confession, he



has been implicated. The last submission is that he do not have any criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the fact that nothing has been recovered/seized either from his house or from his conscious possession, the same recovery has been attributed to Amit Tiwari and he do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 Judge, Rohtas at Sasaram in connection with Bikramganj Excise Case No. 601 of 2023 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 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.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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