

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79494 of 2023

Arising Out of PS. Case No.-225 Year-2023 Thana- SINDHIYA District- Samastipur

BIMLESH THAKUR SON OF BAHUV THAKUR RESIDENT OF
VILLAGE- BHIRAR, PS- SINGHIYA, DISTT- SAMASTIPUR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rambabu Yadav, Advocate

For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 21-03-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Singhiya P.S. Case No. 225 of 2023 for the offence under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and under Sections 25(1-b)a and 26 of the Arms Act lodged on 03.09.2023 by the informant, Umesh Kumar.

3. As per the prosecution story, the informant upon secret information raided the house of the petitioner and recovered 2 liters of desi chulai as also a country-made revolver. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that it is a joint house nothing has been recovered from his conscious possession and he do not has any criminal antecedent.



5. Learned APP opposes the prayer.

6. Taking into account the aforesaid submission that the recovery is from the house, nothing incriminating recovered/seized from his conscious possession 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 Special Judge Excise-1, Samastipur, in connection with Singhiya P.S. Case No. 225 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/-

U		T	
---	--	---	--

