

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12499 of 2025

Arising Out of PS. Case No.-163 Year-2022 Thana- MANER District- Patna

Vakil Kumar Son of Jay Kisun Ray Resident of Village - Sherpur, P.S.-
Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 13-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Maner P.S. Case No. 163 of 2022 under section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 06.03.2022 by the informant, Sadanand Paswan.

3. As per the prosecution story, the informant alleged that while patrolling, a Pick Up Van was intercepted and there is recovery/seizure of 3.269.4 liters of foreign liquor. The two accused were arrested namely Bablu Kumar and Sonu Kumar and according to them, the consignment was to be delivered to this petitioner. Accordingly, the petitioner found himself in the FIR/case.

4. Learned counsel for the petitioner submits that only because criminal antecedent, he is being implicated time



without number, admittedly, the recovery/seizure is from the two accused and only on the basis of their confession, the petitioner has been implicated, the Pick Up Van does not belong to him and if granted relief, he shall be diligently appearing in trial and further is ready to contribute Rs. 15,000 through Demand Draft issued by the local branch of State Bank of India for purchase of flower pots to be kept in the Danapur Sub-Divisional Court Campus.

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

6. Taking into account the submissions of the parties as also that recovery/seizure is from the Pick Up Van which is not owned by the petitioner, the two accused persons have been arrested with the consignment, on their confession, his name has come, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs. 15,000/- to the District Legal Services Authority, Patna through the Demand Draft issued by the local branch of State Bank of India and the amount is to be transferred for purchase of flower pots for the beautification of Sub-Divisional Court, Danapur, (Patna).

7. Let the petitioner be released on bail, in the event



of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Maner P.S. Case No. 163 of 2022 to the satisfaction of learned Special Excise Judge, Danapur subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 appear before the concerned police station every fortnight for next six months to mark his attendance;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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. Let a copy of this order be communicated to the learned Principal District and Sessions Judge, Patna for his perusal and needful.

(Rajiv Roy, J)

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