

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9996 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- AYARKOTHA District- Rohtas

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Kundal Pasi @ Kundan Kumar S/O Gopal Ram @ Gopal Pasi Resident of
Village- Paduhar, ward No. 3, P.S.- Ayarkotha, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Kant, Advocate

For the Opposite Party/s : Mrs.Pronoti Singh, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 26-03-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has preferred this application for
grant of anticipatory bail apprehending his arrest in connection
with Ayarkotha P.S. Case no.11 of 2025 registered under section
30(a) of the Bihar Prohibition and Excise Act, 2016.

3. From a perusal of the F.I.R and the seizure list it
appears that there is recovery of 10 liters of country made liquor
from a plastic bag which was found near Sone river. The local
chowkidar disclosed the name of the petitioner and that is how
the name of the petitioner has figured in the case.

4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. No recovery
has been made from the conscious possession of the petitioner.



The alleged place is an open space which is accessible to all. The name of the petitioner has come only on the basis of suspicion. The petitioner undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State who submits that the petitioner has been earlier made an accused in four cases of the same nature. However, learned counsel for the petitioner submits that the petitioner is on bail on all those four cases.

6. In view of the quantum of recovery and the place of recovery being an open space which is accessible to all, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Ayarkotha P.S. Case no.11 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court-I, Rohtas at Sasaram, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(i) One of the bailors shall be the family



member/relative of the petitioner.

(ii) The learned Court below shall verify the criminal antecedent of the petitioner before releasing him on bail and if, it is found that the petitioner is involved in any other cases, his bail bond shall not be accepted by the learned Court below.

(Soni Shrivastava, J)

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