

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11171 of 2025

Arising Out of PS. Case No.-106 Year-2021 Thana- MANIGACHI District- Darbhanga

Gobind Shaw S/o Shambhu Shaw R/o Thakurani Chak, Baily, Jagachha, P.S.-
Nishinda, Distt.- Howrah, W.B., At present N.S.T. Colony, Kohima, P.S.-
Kohima North, Distt.- Kohima, Nagaland

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ankit Kumar
		Mr. Manoranjan Kumar
For the Opposite Party/s	:	Mr.Chandra Bhushan Prasad

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Act and Section 272, 273 and 34 of the Indian Penal Code.

3. A perusal of the First Information Report and the seizure list would go to show that 1773 liters of foreign liquor has been recovered from abandoned truck bearing no. NL-01AC-9329 which was parked near a Dhaba.

4. Learned counsel for the petitioner submits that the name of the petitioner has surfaced in this case only on account of the fact that the seized truck has been registered in the name of the petitioner. However, it has been stated that the petitioner



was not concerned with the plying of the truck at the relevant time as he was suffering from COVID-19 and he was totally unable to keep a control and track over the plying of the truck. It is further submitted that the FIR itself would make it evident that the consignment was being sent by some other persons and was even going to be received by other persons and not the present petitioner. It has further been submitted that the petitioner is now suffering with the chronic liver failure and is undergoing treatment for the same. The petitioner has also no criminal antecedent.

5. Learned APP for the State has opposed the application for anticipatory bail.

6. Considering the above-mentioned facts and circumstances, I am inclined to extend the privilege of anticipatory bail to the petitioner. Let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 court below where the case is pending/successor court in connection with Manigachhi P.S. Case No. 106 of 2021, subject to the condition as laid down



under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S. and
subject to the further condition that:-

(i) The petitioner shall cooperate in the
investigation/trial.

(ii) The court below shall verify the criminal
antecedent of the petitioner and in case it is found that the
petitioner has concealed his criminal antecedent, the court
below shall take step for cancellation of bail bond of the
petitioner. However, it is expected that the verification process
would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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