

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20528 of 2025

Arising Out of PS. Case No.-363 Year-2024 Thana- KHAIRA District- Jamui

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Anand Mudhukar @ Anand Madhukar Son of Diwakar Singh Resident of
Village- Bhandra, P.S.- Khaira, Distt.- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vikramadit, Advocate

For the State : Mrs. Veena Kumari Jaiswal, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 30-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Khaira P.S. Case No. 363 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 25.09.2024 by the informant, Madhu Kumari 1.

3. As per the prosecution story, the Police upon secret information reached the place of the petitioner and from the backyard there is recovery/seizure of 472.5 liters foreign liquor which led to the F.I.R.

4. Learned counsel for the petitioner submits that the recovery/seizure is not from the house rather from the backyard which is an open place, only because of criminal antecedent, implicated. In case, he is granted relief shall be diligently appearing in trial and not indulge in any criminal activity failing



which the court concerned shall tak steps for cancellation of his bail bond. Further submission is that co-accused Gaurav Singn @ Gaurav Kumar has been granted relief in Cr. Misc. No. 4729 of 2025 by a coordinate Bench and the last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.25,000/- by Demand Draft issued by the local branch of the State Bank of India for the beautification of the Civil Court Campus, Jamui.

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

6. Taking into account the aforesaid facts also that the recovery/seizure is from an open place though from the backyard, an undertaking has been given that he shall not indulge in any criminal activity and diligently appearing in trial, co-accused Gaurav Singh @ Gaurav Kumar has extended relief by a coordinate Bench, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.25,000/- by Demand Draft issued by the local branch of State Bank of India in favour of D.L.S.A., Jamui for the beautification of the Civil Court Campus, Jamui and the receipt has to be submitted before the Trial Court.

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) with two sureties of like amount each to the satisfaction of learned Exclusive Excise Court-1, Jamui, in connection with Khaira P.S. Case No. 363 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following 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/her bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year 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 bail bonds.

8. Let a copy of the order be sent to the learned Principal District & Sessions Judge, Jamui for perusal and needful.

(Rajiv Roy, J)

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