

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22154 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- Excise P.S. District- Rohtas

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Amit Kumar S/O Dayanand Singh @ Dayanand Yadav R/O Village- Gopi
Bigha, Jamuhar, P.S- Dehri (M), Distt.- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-04-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Excise Case No. 33 of 2025, F.I.R. No. 15 of 2025 for the offence registered under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 10.01.2025 by the informant Soni Kumari.

3. As per the prosecution story, the informant alleged that upon secret information, a tempo was intercepted, one Manjeet Kumar was taken into custody and there is/was recovery of 250 liter country made liquor. This led to the FIR.

4. Learned Counsel for the petitioner submits that admittedly, the recovery/seizure is from Manjeet Kumar and only because he owns the tempo, got implicated. Further,



without accepting the allegation and/or the outcome of the present case, he intends to contribute Rs. 15,000/- to the District Legal Services Authority, Rohtas at Sasaram for the beautification of Civil Court Campus of Rohtas at Sasaram Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he owns the vehicle.

6. Considering the aforesaid facts as also that the recovery/seizure is from Manjeet Kumar, he do not have criminal antecedent. The FIR is there and he will be facing the music, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 15,000/- to the District Legal Services Authority, Rohtas at Sasaram for putting up flower pots in the Civil Court Campus of Rohtas at Sasaram Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted to the Trial Court by the DLSA Rohtas at Sasaram.

7. However, if it is found that the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner in the event of arrest or surrender



within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise Court No.-1, Rohtas at Sasaram in connection with Excise Case No. 33 of 2025, F.I.R. No. 15 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

9. Let a copy of the order be sent to the Principal District and Sessions Judge, Rohtas at Sasaram for his perusal and needful.

(Rajiv Roy, J)

Vijay Singh/-

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