

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22045 of 2025**

Arising Out of PS. Case No.-444 Year-2024 Thana- PALASI District- Araria

Raju Hembram S/o Bareen Hembram @ Barin Hembram R/o Village-  
Kankhudiya, Ward No 01, Santhali Tola, P.S- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madhav Jha, Advocate  
For the State : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      23-04-2025      Heard the parties.

2. The petitioner is apprehending his arrest in connection with Palasi P.S. Case No. 444 of 2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 23.12.2024 by the informant, Islamuddin.

3. As per the prosecution story, the informant on information, raided the house of Raju Hembram who managed to escape, upon search, 5 liters country made liquor recovered/seized. This led to the F.I.R.

4. Learned counsel for the petitioner submits that recovery/seizure is from an open house having access to everyone, he do not have criminal antecedent and shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail submitting



that the house belongs to him.

6. Taking into account the aforesaid facts as also that he do not have criminal antecedent, F.I.R. is there, he shall be facing the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

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

8. 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 Special Judge Excise-II, Araria, in connection with Palasi P.S. Case No. 444 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 six months 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.

**(Rajiv Roy, J)**

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