

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20074 of 2025

Arising Out of PS. Case No.-2931 Year-2024 Thana- Excise P.S. District- Patna

Akash Kumar S/O Manauri Sahni @ Manauri Shahni R/O Sandalpur, Akhara,
Mahendru, P.S- Bahadurpur, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mithilesh Kumar, Adv. Mr. Bimlesh Kumar Pandey, Adv.
For the Opposite Party/s :		Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 30-04-2025 Heard Mr. Heard Mr. Bimlesh Kumar Pandey,

learned counsel for the petitioner and the State.

2. The petitioner apprehends his arrest in connection with Excise P.S. Case No. 2931 of 2024 for the offence registered under sections 30(a) and 56(b) of Bihar Prohibition and Excise Act lodged on 26.12.2024 by the informant Vijay Kumar.

3. As per the prosecution story, the informant along with the associate upon information, reached the place and on interception of a motorcycle, there is recovery/seizure of 2.25 liter foreign liquor, which led to the FIR.

4. Learned Counsel for the petitioner submits that he is the owner of the scooty, no concern with the alleged



recovery/seizure and has no criminal antecedent. The police only to implicate, has narrated this story, he shall be diligently appearing in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that recovery/seizure is from the said scooty and the petitioner cannot escape responsibility.

6. Taking into account the aforesaid facts as also that the petitioner has no criminal antecedent, FIR lodged, he shall be facing the trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. 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 III, Patna in connection with Excise P.S. Case No. 2931 of 2024 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.

(Rajiv Roy, J)

Vijay Singh/-

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