

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20357 of 2025

Arising Out of PS. Case No.-688 Year-2023 Thana- TEKARI District- Gaya

Rajesh Raj S/o- Vijay Pandit Village- Risaudh Ps- Belaganj Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No.2, Advocate

For the Opposite Party/s : Mr. Tarkeshwar Nath Thakur, APP

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 Tekari P.S. Case No. 688 of 2023 for the offence under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, lodged on 17.11.2023 by the informant, Mukesh Kumar Yadav

3. As per the prosecution story, upon secret information, the motorcycle was intercepted, the accused managed to escape, there is recovery of 28 litres of country made liquor, which led to the F.I.R.

4. Learned counsel for the petitioner submits that actually he sold the motorcycle to one Shiv Bachan Manjhi earlier but only because the name continue, he got implicated. The petitioner has got no criminal antecedent.



5. Learned APP opposes the prayer for bail of the petitioner.

6. Taking into account the aforesaid facts as also that the recovery/seizure is from the motorcycle of the petitioner, this petitioner has no criminal antecedent, the F.I.R. is there, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.15,000/- by Demand Draft issued by the local branch of State Bank of India for the beautification of the Civil Court Campus, Gaya 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 Judge No. 2, Gaya in connection with Tekari P.S. Case No. 688 of 2023, 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.

(Rajiv Roy, J)

Ranjeet/-

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