

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27593 of 2025

Arising Out of PS. Case No.-75 Year-2024 Thana- RATANPUR District- Supaul

Vijay Yadav Son of Umesh Yadav Resident of Village - Chhautauni, Ward No.- 03, Police Station - Ratanpura, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
	:	Ms. Mili Kumari, Advocate
For the State	:	Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard Ms. Mili Kumari, learned counsel for the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Ratanpura P.S. Case No. 75 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 17.11.2024 by the informant, Krishna Kumar.

3. As per the prosecution story, the informant alleged that on secret information, three boats were intercepted and there is recovery/seizure of 1620 liters Nepali Liquor. This led to the F.I.R/seizure of the boats.

4. Learned counsel for the petitioner submits that he has absolutely no concern with either of the three boats, has clean antecedent, only due to local enmity, his name has



cropped up and if granted relief, he shall be diligently appearing in trial. Last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.50,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Supaul for the beautification of the Civil Court Judgeship, Supaul.

5. Learned APP opposes the prayer for bail submitting that the petitioner's name has been given by the locals.

6. Considering the submissions put forward by the parties as also that the petitioner has no criminal antecedent, none of the boat belongs to him, 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.50,000/- by Demand Draft issued by the local branch of State Bank of India to the District Legal Services Authority, Supaul for the beautification of the Civil Court Judgeship, Supaul and the receipt has to be submitted before the Trial Court.

7. However, if it is found that contrary to the statement made in paragraph no.3 of the petition, the petitioner has criminal antecedent, the 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 Court No.-2, Supaul, in connection with Ratanpura P.S. Case No. 75 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.

9. Let a copy of the order be sent Principal District & Sessions Judge, Supaul for perusal and needful.

(Rajiv Roy, J)

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