

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22066 of 2025

Arising Out of PS. Case No.-33 Year-2024 Thana- SHIVAJINAGAR District- Samastipur

Gopal Singh Son of Shambhu Singh Resident of Village - Chatar, Ward No. 5
Harnagar, P.S. - Kusheshwar Asthan, District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Shweta Suman, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-04-2025 Heard Mrs. Shweta Suman, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Shivaji Nagar P.S. Case No. 33 of 2024 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 09.08.2024.

3. As per the prosecution story, the Police intercepted a four-wheeler, from it, there is recovery of 7.5 liters of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that only because he owns the four-wheeler, got implicated, actually, the accused Md. Israfil had taken the car for taking his mother to hospital who was seriously ill and he does not know how the 7.5 liters foreign liquor was brought in the car allegedly by Md.



Israfil. The last submission is that the petitioner has no criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the petitioner's name has cropped up only because he is the owner of the vehicle, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. However, if it is found that the petitioner have criminal antecedent(s), 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-I, Samastipur, in connection with Shivaji Nagar P.S. Case No. 33 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 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 his bail bonds.

9. Before parting this Court would like to put on record its word of appreciation Mrs. Sweta Suman, learned counsel for the petitioner for the proper assistance rendered in the matter.

(Rajiv Roy, J)

Adnan/-

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