

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25817 of 2025**

Arising Out of PS. Case No.-515 Year-2021 Thana- JOKIHAT District- Araria

Depak Das Son of Kabi Ranjan Das @ Kavi Ranjan Das Resident of  
Samarnagar, Champasari, Kalkut, Police Station - Pradhannagar, District -  
Darjeeling (West Bengal).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

|                      |   |                                      |
|----------------------|---|--------------------------------------|
| For the Petitioner/s | : | Mr. Dhananjay Kumar Tiwary, Advocate |
| For the State        | : | Mr. Shailendra Kumar, APP            |

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

ORAL ORDER

2      07-05-2025                      Heard the parties.

2. The petitioner is apprehending his arrest in connection with Jokihat P.S. Case No. 515 of 2021 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 12.11.2021 by the informant, Aditya Kiran.

3. As per the prosecution story, the informant alleged that on secret information, the Police intercepted a Magic-Van coming from the Kishanganj and there is recovery/seizure of 477 liters foreign liquor. The apprehended person informed that it was purchased from Dalkola (West Bengal) to Simrahi, Supaul. The number that has come in the F.I.R. is XXXXXX9177.



4. Learned counsel for the petitioner submits that neither the vehicle belongs to him nor he has criminal antecedent, his number has been cloned/misused which led to his implication 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.25,000/- to the District Legal Services Authority, Araria by Demand Draft issued by the local branch of the State Bank of India for the purchase of journals (SCC, BLJ, PLJR, Bare Act, etc.).

5. Learned APP opposes the prayer for bail submitting that the number that has come in the F.I.R. belongs to the petitioner.

6. Taking into account the aforesaid facts as also that the petitioner has clean antecedent, the vehicle does not belong 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.25,000/- to the District Legal Services Authority, Araria by Demand Draft issued by the local branch of State Bank of India for the purchase of journals (SCC, BLJ, PLJR, Bare Act, etc.) 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 Special Judge, Excise-2, Araria, in connection with Jokihat P.S. Case No. 515 of 2021 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.

8. Let a copy of the order be sent to the Principal District and Sessions Judge, Araria for perusal and needful.

**(Rajiv Roy, J)**

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