

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23111 of 2025

Arising Out of PS. Case No.-191 Year-2022 Thana- BAJPATTI District- Sitamarhi

=====

Dipesh Kumar son of Ramashankar Rai village- Hanuman Nagar ps- Dumra,
Dist- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 01-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Bajpatti P.S. Case No. 191 of 2022 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 02.07.2022 by the informant, Kameshwar Narayan Yadav.

3. As per the prosecution story, the informant alleged that on secret information, the Police intercepted a motorcycle. Though he managed to escape, the motorcycle was left behind from which there is recovery/seizure of 60 liters Nepali liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that he do not have any criminal antecedent, nor the motorcycle belongs to him but the local *chowkidar* has named him, due to enmity



and he will diligently be appearing in trial.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the motorcycle does not belongs to him, do not have criminal antecedent and undertaken to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 Special Judge Exclusive Excise Court-02, Sitamarhi/concerned Court in connection with Bajpatti P.S. Case No. 191 of 2022 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.

(Rajiv Roy, J)

Adnan/-

U		T	
---	--	---	--

