

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25811 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- Bikramganj Excise District- Rohtas

Barak Singh @ Barka @ Amarjeet Singh S/o Late Raghunandan Singh @
Yadunandan Singh R/o Village- Yogini, Ward NO. 2, P.S.- Dawath, District-
Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate
For the State : Mr. Sanjay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2025 Heard Mr. Sanjay Kumar, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Excise Case No. 134 of 2025 corresponding to Bikramganj Excise P.S. Case No. 56 of 2025 for the offence under Sections 30(a) and 62 of the Bihar Prohibition and Excise Act, lodged on 28.02.2025 by the informant, Seema Kumari.

3. As per the prosecution story, the informant alleged that on secret information, the house of Arvind Kumar was raided and there is recovery/seizure of 518.40 liters beer. The accused Arvind Kumar who was arrested gave the name of this petitioner as his business partner. This led to the F.I.R.

4. Learned counsel for the petitioner submits that



though he has criminal antecedent, all are prior to the Prohibition Act that came into force in the year 2016, only because of the name taken by Arvind Kumar, he stands implicated admittedly, recovery/seizure is from the house of Arvind Kumar.

5. Learned APP opposes the prayer for bail submitting that Arvind Kumar has gave the name of this petitioner.

6. Considering the submission put forward by the parties as also the fact that recovery/seizure is from the house of Arvind Kumar, the petitioner has criminal antecedent but they are prior to the Prohibition Act, F.I.R. is there, he will have to face the music, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

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 Court No.-1, Rohtas at Sasaram, in connection with Excise Case No. 134 of 2025 corresponding to Bikramganj Excise P.S. Case No. 56 of 2025 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)

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