

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26345 of 2025

Arising Out of PS. Case No.-373 Year-2024 Thana- DIGHWARA District- Saran

Ail Turha @ Anil Turha @ Anil Sah. S/o Late Munchhun Turha R/o Village-
Basantpur, P.S.- Dhigwara, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashish Kumar, Advocate
For the Opposite Party/s : Mrs. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-05-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Dighwara P.S. Case No. 373 of 2024 instituted under Sections 41(i), 30(a) of the Bihar Prohibition and Excise Act, 2016 lodged on 18.10.2024 by the informant, Raj Kumar Singh.

3. As per the prosecution story, the informant alleged that upon secret information raided a secluded place (Diyara) and there is recovery/seizure of 80 liters of country made liquor while 1000 liters fermented liquor were destroyed. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from an open place, nothing belong to him, only because of criminal antecedent, implicated.



5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that the recovery/seizure is from an open place, name of the petitioner has cropped up after the information given by the 'Chowkidar', 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 his arrest or surrender before the subordinate court 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 the like amount each in connection with Dighwara P.S. Case No. 373 of 2024 to the satisfaction of learned Additional Sessions Judge cum 1st Exclusive Special Judge, Excise, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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)

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