

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25210 of 2025

Arising Out of PS. Case No.-472 Year-2024 Thana- ALOULI District- Khagaria

Yashwant Kumar @ Jaswant Kumar Son of Dinesh Paswan Resident of
Village -Rampur Alouli PS -Alouli District -Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amar Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, 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 Alouli P.S. Case No. 472 of 2024 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 10.11.2024 by the informant, Randhir Kumar.

3. As per the prosecution story, the informant alleged that on secret information, raided the *basa* of the petitioner and recovered/seized 15 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of his criminal antecedent, he has been implicated. The fact is that the recovery is from the *basa* which has access to everyone and nothing has been recovered from his conscious possession.



5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the recovery is not from his conscious possession rather it is from an open place, 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 Exclusive Spl. Excise Judge 1st, Khagaria in connection with Alouli P.S. Case No. 472 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.

(Rajiv Roy, J)

Adnan/-

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