

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26839 of 2025**

Arising Out of PS. Case No.-50 Year-2024 Thana- BASANTPUR District- Siwan

Ram Babu Ram Son of Lakshman Ram @ Laxman Ram Resident of village -
Sareya Ansari Tola, P.S.- Basantpur, Distt.- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Adv.

For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-05-2025 Heard Mrs. Kumari Anupam, learned Counsel for the
petitioner and Mr. Ramesh Chandra, learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Basantpur P.S. Case No. 50 of 2024 for the offence
registered under sections 30(a) of the Bihar Prohibition and
Excise Act, 2016 lodged on 09.02.2024 by the informant,
Yogendra Paswan.

3. As per the prosecution story, the Police upon
information arrived near Sariya Ansari Tola. Those present
managed to escape. Near the house of this petitioner, 20 litre
country made liquor recovered/seized. This led to the FIR.

4. Learned Counsel for the petitioner submits that a
perusal of the FIR would show that recovery/seizure is from an
open place not from his house, has no criminal antecedent but



implicated due to local enmity.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also that the recovery is from an open place not from his conscious possession, he do not have criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. However, if it is found that the petitioner has criminal antecedent, the present order shall become infructuous.

8. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No-1, Siwan in connection with Basantpur P.S. Case No. 50 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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