

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25532 of 2025

Arising Out of PS. Case No.-12 Year-2025 Thana- YADOPUR District- Gopalganj

Sumant Yadav @ Sumanta Kumar S/o- Surendra Yadav Resident of Village-
Semra PS- Jadopur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Harendra Prasad, Advocate

For the Opposite Party/s : Mr. Kanhiya Kishor, 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 Jadopur P.S. Case No. 12/2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 27.01.2025 by the informant, Sanjeev Kumar Mandal.

3. As per the prosecution story, the informant alleged that upon secret information, the Police started vehicle checking, a motorcycle rider fell down, the Police seized the vehicle and there is recovery/seizure of 58.200 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no concerned with the motorcycle, it does not belong to him, only because of his criminal antecedent, his name has come. The last submission is that without accepting the



allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 10,000/- for the purchase of chairs in the District Consumer Forum, Gopalganj through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also that the petitioner does not own the motorcycle nor anything has been recovered from his conscious possession, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- for the purchase of chairs in the District Consumer Forum, Gopalganj through Demand Draft issued by the local branch of the State Bank of India addressed to the Chairman, District Consumer Forum, Gopalganj.

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 Additional District and Sessions Judge- XIII cum Spl. Judge Excise Court No. I, Gopalganj in connection with Jadopur P.S. Case No. 12/2025 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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