

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25248 of 2025**

Arising Out of PS. Case No.-356 Year-2023 Thana- NAVINAGAR District- Aurangabad

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Dheeraj Kumar S/O Triloki Chaudhary R/O Village- Old Town, Jat Toli,
Daudnagar, P.S- Daudnagar, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv.
For the Opposite Party/s : Mr. Ajay Kumar No. 2

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 07-05-2025 Heard Ms. Mukul Kumari, learned counsel for the

petitioner and the State.

2. The petitioner apprehends his arrest in connection with Nabinagar P.S. Case No. 356 of 2023 for the offence registered under sections 30(a) of Bihar Prohibition of Excise Amendment Act 2018 lodged on 04.09.2023 by the informant, Arvind Kumar.

3. As per the prosecution story, during search of the vehicle, a car was intercepted, one Arun Kumar was driving it, upon search, 354.24 litre country made liquor recovered/seized. This led to the FIR.

4. Learned Counsel for the petitioner submits that he being the registered owner, his name has cropped up, was not in the car nor anything recovered from his conscious possession,



he has no criminal antecedent and the last submission is that without accepting the allegation and/or the outcome of the present case, he intends to contribute Rs. 20,000/- to the District Legal Services Authority, Aurangabad for the purchase of Journals (SCC/BLJ/PLJR/Bare Acts) for the Civil Court, Aurangabad through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he is the owner of the car.

6. Taking into account the aforesaid facts as also that the petitioner do not have criminal antecedent, FIR lodged, shall be facing the music, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 20,000/- to the District Legal Services Authority, Aurangabad for the purchase of Journals for the Civil Court, Aurangabad through Demand Draft issued by the local branch of the State Bank of India and the receipt of the purchase be submitted to the Trial Court by the DLSA, Aurangabad.

7. 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 Court of Special Judge of Excise-I, Aurangabad in connection with Nabinagar P.S. Case No. 356 of 2023 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.



8. Let a copy of the order be sent to the learned
Principal District and Sessions Judge, Aurangabad for his
perusal and needful.

(Rajiv Roy, J)

Vijay Singh/-

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