

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26108 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- PIRI BAZAR District- Lakhisarai

Bambam Kumar Son of Dinesh Yadav Vill-Lahsorba, P.S-Piri Bazar, Dist-
Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 05-05-2025 Heard Mr. Binay Kumar, learned counsel for the
petitioner and Mr. Anil Kumar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Piri Bazar P.S. Case No.44 of 2024 for the offence under Section 30(a)(b)(c) of the Bihar Prohibition and Excise Act, Section 3 of the Bihar Excise (Mahua Flowers) Rules, 2006, lodged on 07.04.2024 by the informant, Umesh Kumar.

3. As per the prosecution story, the informant alleged that on secret information, vehicle checking was done when one motorcycle bearing No.BR53D7XX67 carrying two plastic sacks escaped, from the said plastic sacks there is/was recovery of 100 kg of Mahua . The motorcycle belongs to the petitioner. Accordingly, the FIR.



4. Learned counsel for the petitioner submits that the recovery/seizure is from the road not from the motorcycle, it is because of criminal antecedent he has been implicated. He is ready to appear in trial. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 15,000/- to the District Legal Services Authority, Lakhisarai for beautification/putting up flower pots in the Civil Court Campus of Lakhisarai Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that the motorcycle number was taken note of which belong to the petitioner.

6. Taking into account the submissions of the parties as also that nothing 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.15,000/- to the District Legal Services Authority, Lakhisarai, for beautification/putting up flower pots in the Civil Court Campus of Lakhisarai Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court



by the DLSA, Lakhisarai.

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 4th cum-Special Excise Court 1st, Lakhisarai, in connection with Piri Bazar P.S. Case No. 44 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.

8. A copy of the order be sent to the Principal District and Sessions Judge, Lakhisarai, for his/her perusal and needful..

(Rajiv Roy, J)

anand/-

U		T	
---	--	---	--

