

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26823 of 2025

Arising Out of PS. Case No.-432 Year-2024 Thana- Excise P.S. District- Banka

Jarmani Kumar Yadav son of Radhe Yadav Village -Mohanpur PS- Banka
District -Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad
For the Opposite Party/s : Mr. Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-05-2025 Heard Mr. Brij Nandan Prasad, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Banka Excise P.S. Case No. 432/2024 for the offence
registered under sections 30(a) of Bihar Prohibition and Excise
Act, 2016 lodged on 11.10.2024 by the informant, Ashwini
Kumar Paswan.

3. As per the prosecution story, the informant alleged
that upon secret information, a scooty was intercepted, upon
search, 36 litre country made liquor recovered/seized, which led
to the FIR.

4. Learned Counsel for the petitioner submits that the
scooty belong to him, was given to Shyam Lal Marandi who in
turn handed it over to Ram Lal Marandi who was apprehended



along with the liquor. Further, he has no criminal antecedent.

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

6. Considering the submissions as also the fact that recovery/seizure is from Ram Lal Marandi, the petitioner has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

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 Exclusive Excise Court-2, Banka in connection with Banka Excise P.S. Case No. 432/2024 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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