

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26796 of 2025

Arising Out of PS. Case No.-411 Year-2024 Thana- JOGAPATTI District- West Champaran

Jaikishan Dhangar @ Rahul Kumar S/O Chhotelal Dhangar Resident of
Village- Harpur Dhangar, P.S.- Yogapatti, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Dashrath Mehta, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-05-2025 Heard Mr. Sujit Kumar, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Yogapatti P.S. Case No. 411 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 28.12.2024 by the informant, Chandra Kishore Kumar.

3. As per the prosecution story, the informant alleged that on secret information about the petitioner selling illicit liquor, the place was raided and there is recovery/seizure of 20 liters of country made liquor from a potato field. This led to the FIR.

4. Learned counsel for the petitioner submits that only because he has criminal antecedent, implicated, the fact remains that the recovery/seizure is from an open place and not from his



conscious possession and/or the house.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also the fact that recovery/seizure is from an open place, the petitioner has undertaken to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Yogapatti P.S. Case No. 411 of 2024 to the satisfaction of learned Exclusive Special Judge, Excise-II, Bettiah, West Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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)

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