

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30148 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- SAHEBPUR KAMAL District- Begusarai

Karan Kumar @ Kariyadav @ Kare Yadav @ Kari Yadav S/o- Gajan Yadav
Resident of Village- Kharhat PS- Sahebpur Kamal District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Adv.
For the Opposite Party/s : Mr. Sucheta Yadav, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-05-2025 Heard Mr. Rahul Singh, learned counsel for the
petitioner and Mrs. Sucheta Yadav, learned APP.

2. The petitioner apprehends his arrest in connection with Sahebpur Kamal P.S. Case No. 53 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act lodged on 05.03.2025 by the informant, Varun Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, a boat was intercepted along with two persons while others escaped by jumping in the river, the ‘*Chowkidar*’ named them. There is recovery/seizure of 35 litre country made liquor from Azadi Yadav and 5 litre from Ankush Yadav. This led to the FIR.

4. Learned Counsel for the petitioner submits that a perusal of the FIR would show that that recovery is from named



persons, the *Chowkidar* named him as the person who swam away, has no criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that though there is no recovery from the petitioner, the *Choukidar* has named him.

6. Considering the submissions of the parties as also that the petitioner has no criminal antecedent and recovery/seizure is from named accused, in that background, this Court is inclined to grant him the anticipatory bail with conditions. However, if it is found that the petitioner has criminal antecedent, the present order shall become infructuous.

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 Exclusive Special Judge, Excise-II, Begusarai in connection with Sahebpur Kamal P.S. Case No. 53 of 2025 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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