

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30875 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- PALASI District- Araria

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Bikash Yadav @ Vikash Kumar Vishwas S/o Late Suresh Vishwas R/o Vill.-
Belsari, Ward no. 05, P.S.- Palasi, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrigendra Kumar, Advocate
For the State : Mr. Braj Kishore Pd.(APP)

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 19-05-2025 Heard Mr. Mrigendra Kumar, learned counsel for the

petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Palasi P.S. Case No. 43 of 2025 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 04.02.2025 by the informant, Amarnath Ram.

3. As per the prosecution story, the informant alleged that during the patrolling and vehicle checking, a motorcycle was intercepted and there is recovery/seizure of 15 liters Nepali liquor. The person escaped was named as this petitioner, this led to the F.I.R.

4. Learned counsel for the petitioner submits that the motorcycle does not belong to him, has no criminal antecedent, but people due to enmity, named him.



5. Learned APP opposes the prayer for bail submitting that the name of the petitioner has come on the discloser of the locals.

6. Taking into account the aforesaid facts as also that he has no criminal antecedent nor the motorcycle belong to him, 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 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 District & Additional Sessions Judge-II, Araria in connection with Palasi P.S. Case No. 43 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following 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/her 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 bail bonds.

(Rajiv Roy, J)

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