

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34727 of 2025

Arising Out of PS. Case No.-503 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

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Kapildeo Ram @ Dularchand Ram S/O Jaylal Ram R/O Vill.- Ramgadhwa,
P.S.- Muffasil, District- East Champaran

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Muffasil P.S. Case No. 503 of 2024 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 18.10.2024 by the informant, Kumari Babli.

3. As per the prosecution story, the informant alleged that on secret information, the Police raided the place, the accused managed to escape after throwing the bag from which there is recovery/seizure of 4.300 liters of country-made *chulai*. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly, nothing has been recovered from his conscious possession, only due to enmity, he has been implicated and do



not have any criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that nothing has been recovered from his conscious possession and he do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 Special Judge, Excise Court No. 1, East Champaran, Motihari in connection with Muffasil P.S. Case No. 503 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.

(Rajiv Roy, J)

Adnan/-

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