

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34622 of 2025

Arising Out of PS. Case No.-1 Year-2025 Thana- SUPAUL District- Supaul

Akhilesh Kumar @ Akhilesh Kumar Sah S/O Indira Narayan Sah @ Indr
Narayan Sah R/O Village- Chaughara, Ward No.- 07, P.O- Hardi Purav, P.S-
Supaul, Distt.- Supaul, State- Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard Mr. Kuldeep Kumar, learned counsel for the
petitioner and Mr. Narsingh Tanti, learned counsel for the State.

2. The petitioner is apprehending his arrest in
connection with Supaul P.S. Case No. 01 of 2025 for the offence
under sections 30(a) of the Bihar Prohibition and Excise
(Amendment) Act, 2022, lodged on 01.01.2025 by the
informant, Rakesh Prasad Yadav.

3. As per the prosecution story, the informant alleged
that on secret information about selling of the alcohol by this
petitioner reached his residence, however, one person managed
to escape, 50 meters away from the house, there is/was
recovery/seizure of 72 litres country made liquor. This led to the
FIR.



4. Learned counsel for the petitioner submits that he has no criminal antecedent, admittedly, recovery is not from his house rather from an open place which has been attributed to him

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the submissions of the parties as also that recovery which is from an open place coupled with the fact that the petitioner has no 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 Exclusive Special Judge, Excise Court No.01, Supaul, in connection with Supaul P.S. Case No.01 of 2025, 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)

anand/-

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