

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33671 of 2025

Arising Out of PS. Case No.-43 Year-2025 Thana- Gurupa District- Gaya

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Satish Kumar S/o- Baleshwar Prasad @ Baleshwar Yadav Resident of
Village- Lodhwe Koriya PS- Gurpa District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vishwa Ranjan Choudhary, Advocate
For the Opposite Party/s : Mrs. Sucheta Yadav, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2025 Heard, Mr. Vishwa Ranjan Choudhary, learned
counsel for the petitioner and Mrs. Sucheta Yadav, learned APP
for the State.

2. The petitioner is apprehending his arrest in
connection with Gurpa P.S. Case No. 43 of 2025 for the offence
under sections 30(a) of the Bihar Prohibition and Excise
Amendment Act, 2022, lodged on 11.03.2025 by the informant,
Sant Kinkar Verma.

3. As per the prosecution story, upon information that
Sanjay Manjhi's locked house is being used by this petitioner
for liquor purposes, it was raided and there is recovery/seizure
of 100 litres country made liquor beside 200 litres mahua from
the said house. This led to the FIR.

4. Learned counsel for the petitioner submits that



admittedly, the recovery/seizure is from the house of Sanjay Manjhi and the petitioner is not its owner. Due to local enmity, he has been named only because he has criminal antecedent. He further submits that without accepting the allegation and/or the outcome of the present petition, learned counsel for the petitioner submits that he intends to contribute Rs.5,000/- to the Chief Minister's Relief Fund.

5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also that recovery/seizure is from a different home, not from the conscious possession of the petitioner, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions, subject to payment of Rs.5,000/- to the Chief Minister's Relief Fund through Demand Draft and the receipt be submitted to the learned trial Court.

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 Excise Judge-4, Gaya, in connection with Gurpa P.S. Case No.43 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 one year 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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