

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33800 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- ASARGANJ District- Munger

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Raushan Kumar Suman S/o Amol Chandra Sah R/o vill- Ghat Amarpur
Kokrghat, Ps- Pathargama, District- Godda Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Deep Anshuman, Advocate

For the Opposite Party/s : Mr. Rajiv Nayan, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehend his arrest in connection with Asarganj P.S. Case No. 12 of 2024 for the offence registered under sections 30(a) and 32 of the Bihar Prohibition and Excise Act lodged on 25.01.2024 by the informant Sushil Kumar.

3. As per the prosecution story, the Alto Car was intercepted from which recovery/seizure of 276.750 liters of foreign liquor. This led to the FIR.

4. Learned Counsel for the petitioner submits that the only because he owns the car, got implicated, actually it was driven by the driver but was misused if the FIR is to be believed. The last submission is that irrespective of the aforesaid



Rs.20,000/- was produced for the purchase of the sanitary vending machine for civil Court judgship, Munger as also Rs. 5,000/- (Rs.5,000/-) to the Chief Minister's Relief Fund.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the petitioner owns the car.

6. Considering the aforesaid facts recovery of made from the car, not from his conscious possession, the driver was driving the car, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs.20,000/- to DLSA, Munger for the purchase of sanitary vending machine and also the purchase receipt has to be submitted before the learned trial Court beside Rs.5,000/- to the Chief Minister's Relief Fund through Demand Draft and the receipt be submitting to the learned trial Court.

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 bond 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-1, Munger in connection with Asarganj P.S. Case No. 12 of 2024 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 their 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.

8. Let a copy of the order be sent to the Principal District and Sessions Judge, Munger for his perusal and needful.

(Rajiv Roy, J)

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