

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33906 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

Amar Nath Das @ Amarnath Das @ Amar Das S/O Pujan Das R/O village-
Jankinagar, P.S.- Ladaniya, Dist.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Pandey, Advocate
	:	Ms. Kumari Pallavi, Advocate
For the State	:	Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard Mr. Manoj Kumar Pandey, learned counsel for
the petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Jhanjharpur Excise P.S. Case No. 09 of 2025 for the offence under Sections 30(a), 32(1) and 32(3) of the Bihar Prohibition and Excise Act, lodged on 17.01.2025 by the informant, Amrendra Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, a Tata Pick-Up Van was intercepted and there is recovery/seizure of 1800 liters of Nepali foreign liquor. The son of the petitioner Manish Kumar was apprehended and he informed that vehicle is in the name of his father. This led to the F.I.R.



4. Learned counsel for the petitioner submits that he is the unfortunate father of Manish Kumar as also the owner of Pick-Up Van which led to his implication in the present case. He has no criminal antecedent only because his son was using it, he got implicated. Last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.15,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Madhubani for the installation of sanitary vending machine in the campus of Jhanjharpur Sub-Divisional Court (Madhubani Judgeship).

5. Learned APP opposes the prayer for bail submitting that the petitioner is the owner of Pick-Up Van.

6. Considering the submission of the parties as also that son has already been apprehended along with the liquor, this petitioner is the owner, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.15,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Madhubani for the installation of sanitary vending machine in the campus of Jhanjharpur Sub-Divisional Court (Madhubani Judgeship) and the receipt has to



be submitted before the 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 District and Additional Sessions Judge-II-cum-Special Judge, Excise, Jhanjharpur, in connection with Jhanjharpur Excise P.S. Case No. 09 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.

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

(Rajiv Roy, J)

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