

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33910 of 2025

Arising Out of PS. Case No.-494 Year-2023 Thana- RIGA District- Sitamarhi

Mukesh Choudhary S/o Late Vindi Choudhary Resident of Village- Sangram
Fandah, P.S.- Riga, Distt.- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar, Advocate
For the State	:	Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 21-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Riga P.S. Case No. 494 of 2023 for the offence under Sections 414 of the Indian Penal Code and 30(a) of the Bihar Prohibition and Excise Act, lodged on 07.12.2023 by the informant, Manish Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, a motorcycle was intercepted, the person apprehended was Dharmendra Kumar and gave the name of the person who escaped as this petitioner, 24 liters country made liquor recovered/seized from the motorcycle and the paper were also not produced. This led to the F.I.R.

4. Learned counsel for the petitioner submits that admittedly, the motorcycle as also the liquor have been



recovered from Dharmendra Kumar, his name has only cropped up due to enmity.

5. Learned APP opposes the prayer for bail submitting that the person apprehended named this petitioner.

6. Considering the submissions of the parties as also that recovery/seizure is from Dharmendra Kumar, petitioner has undertaken to diligently appear in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

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, Exclusive Special Excise Court No.-1, Sitamarhi, in connection with Riga P.S. Case No. 494 of 2023 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 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 bail bonds.

(Rajiv Roy, J)

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