

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33729 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- EXCISE BAARSOI District- Katihar

Arjun Kumar S/o Satya Narayan Das Resident of Sudhin Chowk, Chhathh
Pokhar, Tatma Toli, P.S.I- Khaganchi Hat, District- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate
For the State : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 20-05-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Barsoi Excise P.S. Case No. 290 of 2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 10.07.2024 by the informant, Keshav Kumar.

3. As per the prosecution story, the informant alleged that on secret information, near check post, a motorcycle was intercepted from the Purnea side. One managed to escape while the other Suraj Rajak was apprehended who gave the name of other as Arjun Kumar (petitioner herein), there is recovery/seizure of 18.375 liters foreign liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he owns the motorcycle, it was given to Suraj Ranjan for servicing



who misused the motorcycle, the petitioner has no criminal antecedent.

5. Learned APP opposes the prayer for bail submitting that he owns the motorcycle.

6. Taking into account submissions of the parties as also the fact that recovery/seizure is from Suraj Kumar, this petitioner has no criminal antecedent, 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 Additional Sessions Judge-cum-Exclusive Excise Judge, Excise Court No.1, Katihar, in connection with Barsoi Excise P.S. Case No. 290 of 2024 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.

(Rajiv Roy, J)

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