

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33730 of 2025

Arising Out of PS. Case No.-337 Year-2019 Thana- KONCH District- Gaya

Kapindra Kumar Son of Jethu Yadav Resident of Village- Gordiha, P.S.-
Rafiganj, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gajendra Kumar Singh, Advocate

For the State : Mr. Syed Ehteshamuddin, 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 Konch P.S. Case No. 337 of 2019 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 27.11.2019 by the informant, Abhishek Kumar Singh.

3. As per the prosecution story, the informant alleged that during patrolling and vehicle checking, a motorcycle was intercepted, those apprehended were Gopal Kumar and Chandan Kumar and there is recovery/seizure of 12.75 liters foreign liquor, the apprehended person named this petitioner. This led to the F.I.R.

4. Learned counsel for the petitioner submits that admittedly, recovery/seizure is from the Gopal Kumar and Chandan Kumar, he has been implicated was not known to him



which caused the delay, the petitioner has no criminal antecedent. Last submission is that without accepting the allegation and/or the outcome of the present petition, the petitioner intends to contribute Rs.5,000/- to the Chief Minister's Relief Fund by the Demand Draft issued by the local branch of State Bank of India.

5. Learned APP opposes the prayer for bail submitting that he has delayed coming to the Court.

6. Considering the submissions of the parties as also the fact that petitioner do not have criminal antecedent, recovery/seizure is from Gopal Kumar and Chandan Kumar, his name has come in the confessional statement, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.5,000/- to the Chief Minister's Relief Fund through Demand Draft issued by the local branch of State Bank of India 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 Court No.4, Gaya, in connection with Konch P.S. Case No. 337 of 2019 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)

vinayak/-

U		T	
---	--	---	--

