

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34620 of 2025

Arising Out of PS. Case No.-141 Year-2024 Thana- KOCHADHAMAN District- Kishanganj

Sanjay Kumar S/o Kalanand Ram R/o Village- Khirochowk Bhatta Bazar @
Bhatta Bazar ward no. 27, P.S.- Purnea, Dist.- Purnea

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard Mr. Alok Kumar Alok, learned counsel for the
petitioner and Mr. Jai Narain Thakur, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Kochadhaman P.S. Case No. 141 of 2024 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 24.07.2024 by the informant, Birendra Sah.

3. As per the prosecution story, the police intercepted an E-rickshaw which was being led by a motorcycle. There is recovery/seizure of 37.710 foreign liquor and 4.50 litre beer (total 42.210 litre). This led to the FIR.

4. Learned counsel for the petitioner submits that the persons arrested were Akash and Shiva Kumar, the E-rickshaw belong to one Govind Kumar, he has nothing to do with either



the recovery and/or the E-rickshaw. Though motorcycle belongs to him, it was just a co-incidence that he was crossing the said place but the police has recorded that he was leading the said vehicle. The last submission is that the petitioner has no criminal antecedent.

5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the submissions of the parties as also that the recovery is from an E-rickshaw and two persons already stand nabbed, this petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 Judge (Excise-I), Kishanganj, in connection with Kochadhaman P.S. Case No.141 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 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 his bail bonds.

(Rajiv Roy, J)

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