

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34401 of 2025

Arising Out of PS. Case No.-198 Year-2020 Thana- KADAMKUAN District- Patna

Shashibhusan Singh @ Shashi Bhushan Singh son of Late Ramjee Singh
Resident of Mohalla -Beur Gaon(Near Kumar Nursing Home), PO
-Anishabad PS -Beur District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Garg, Adv.

For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Kadamkuan P.S. Case No. 198 of 2020 for the offence registered under sections 30(a) and 37(b) of Bihar Prohibition and Excise Act, 2018 lodged on 21.05.2020 by the informant, Naveen Kumar.

3. As per the prosecution story, the informant alleged that on secret information and interception of a tempo, from the *jute* bag, 45 liter Mahua recovered/seized. This led to the FIR.

4. Learned Counsel for the petitioner submits that nothing has been recovered from his conscious possession, though he owns the tempo, it was handed over to one Bablu



Kumar in the month of June 2019. The last submission is that he do not have criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, has sold the tempo to aforesaid Bablu Kumar, FIR lodged, shall be facing the trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-2nd, Patna in connection with Kadamkuan P.S. Case No. 198 of 2020 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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