

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33921 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- GOH District- Aurangabad

Santu Kumar Son of Birju Yadav @ Birjun Yadav Resident of village - Akoni,
P.S.- Goh, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar Pandey, Advocate
For the State	:	Mr. Sanjay Kumar Sharma, 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 Goh P.S. Case No. 374 of 2024 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 26.12.2024 by the informant, Latifur Rahman.

3. As per the prosecution story, the informant alleged that during the patrolling and vehicle interception, the Police intercepted a motorcycle. The accused managed to escape, locals gave the name, the petitioner is included and from the dicky of the motorcycle 12 liters mahua liquor recovered/seized. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the motorcycle does not belong to him, the chowkidar Bindeshwari Paswan has deliberately named him only because he has



criminal antecedent, if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions of the parties as also the fact that nothing has been recovered from his conscious possession, though he has criminal antecedent, an undertaking has been given that he shall be diligently appearing 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 Excise-II, Aurangabad, in connection with Goh P.S. Case No. 374 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 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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