

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34610 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- Excise P.S. District- Samastipur

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DHIRAJ KUMAR S/o- Satyanarayan Yadav R/o- W.No-1, Village- Kua Ps-
Bithan Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-05-2025 No one appears on behalf of the petitioner though the

State is present.

2. The petitioner is apprehending his arrest in connection with Samastipur Excise (Sadar) P.S. Case No. 91 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 03.04.2025 by the informant, Dablu Kumar.

3. As per the prosecution story, the informant alleged that on secret information, a motorcycle was intercepted and there is recovery/seizure of 17.280 liters of foreign liquor. This led to the FIR.

4. From the petition it seems that the petitioner has no criminal antecedent and the motorcycle does not belong to him, only because of local enmity his name has cropped up.



5. Learned APP opposes the prayer submitting that his name has come.

6. Considering the submission of the learned State counsel as also perusal of the plaint, the petitioner has no criminal antecedent nor he has any 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, Samastipur in connection with Samastipur Excise (Sadar) P.S. Case No. 91 of 2025 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)

Adnan/-

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