

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34480 of 2025

Arising Out of PS. Case No.-22 Year-2025 Thana- SONEBARSA District- Buxar

Birendra Yadav @ Birendra Kumar Singh S/o Lambu Yadav @ Shri Bhagwan
Singh Resident of village- Giridhar Baraon, PS- Sonversa, District- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brijmohan Das, Adv.

For the Opposite Party/s : Mr. Bharat Lal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Sonversa P.S. Case No. 22 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act lodged on 09.03.2025 by the informant, Navin Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the house of one Ankit Kumar was raided and there is recovery/seizure of 188.190 liter foreign liquor. Those who escaped were named by the locals, the petitioner included. This led to the FIR.

4. Learned Counsel for the petitioner submits that only because of his criminal antecedent, he got implicated. The recovery/seizure is from the house of Ankit Kumar, he has no



role to play. That last submission is that without accepting the allegation and/or the outcome of the present case, he intends to contribute Rs. 15,000/- to the District Legal Services Authority, Buxar for installation of sanitary vending machine for the Civil Court Campus of Buxar Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he has criminal antecedent.

6. Considering the submissions of the parties as also that the recovery/seizure is from the house of Ankit Kumar, his name is there, shall be facing the trial, nothing has been recovered from his conscious possession, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs.15,000/- to the District Legal Services Authority, Buxar for the installation of sanitary vending machine in the Civil Court Campus of Buxar Judgeship through Demand Draft issued by the local branch of the State Bank of India.

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 Excise Court No. 2, Buxar in connection with Sonversa P.S. Case No. 22 of 2025 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 one year 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.



8. Let a copy of the order be sent to the learned
Principal District and Sessions Judge, Buxar for his perusal and
needful.

(Rajiv Roy, J)

Vijay Singh/-

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