

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37159 of 2025

Arising Out of PS. Case No.-65 Year-2025 Thana- RAGHOPUR District- Vaishali

Sanjay Das Son of Surendra Das Resident of village - Sukumarpur, P.S.-
Rustampur Raghapur, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh, Advocate

For the Opposite Party/s : Mr.Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Raghapur P.S. Case No.65 of 2025 for the offence under Sections 274, 275, 317(5) of BNS and Section 30(a) of Bihar Prohibition and Excise Act, lodged on 15.03.2025 by the informant, Dharmendra Kumar.

3. As per the prosecution story, the informant got a secret information, the place was raided and the recovery there is recovery/seizure of 551 liters of country made liquor besides 47 litres country made liquor from a motorcycle, the locals gave the name of the accused as this petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of earlier criminal antecedent of the same nature in the year 2019, the police have implicated. He has no role to play



regarding the alleged recovery which has been made from near the river Ganga as further motorcycle does not belong to him.

5. Learned APP opposes the prayer submitting that the locals gave his name.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession, 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 Exclusive Special Excise Court No.II-cum-Additional District & Sessions Judge, Vaishali at Hajipur, in connection with Raghapur P.S. Case No.65 of 2025 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)

Saurav/-

U		T	
---	--	---	--

