

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38068 of 2025

Arising Out of PS. Case No.-191 Year-2025 Thana- BARH District- Patna

Sonu Kumar S/o Batoran Chaudhary R/o Village- Agwanpur, P.S.- Barh,
District- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mrs.Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Barh P.S. Case No. 191 of 2025 instituted under Sections 30(a) of the Bihar Prohibition Excise Act lodged on 13.03.2025 by the informant, Navneet Rai.

3. As per the prosecution story, the informant alleged that on secret information, the house of the petitioner was raided and there is recovery/seizure of 30 liters of 'Mahua'. Further, from the 'Bathan' of Bishnu Choudhary, a drum was seized from which 60 liters of 'Mahua' wine recovered/seized which led to the FIR.

4. Learned counsel for the petitioner submits that so far as the petitioner is concerned, it has been recovered from an open place and not from his conscious possession and only



because the petitioner has criminal antecedent, implicated.

5. Learned APP opposes the prayer submitting that it has been recovered/seized from his 'Bathan'

6. Considering the submissions of the parties as also that there is no recovery from his conscious possession, FIR lodged, he will be facing the 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 his arrest or surrender before the subordinate court 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 the like amount each in connection with Barh P.S. Case No. 191 of 2025 to the satisfaction of learned Special Judge, Excise, Barh, Patna subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other 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 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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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)

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