

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37352 of 2025

Arising Out of PS. Case No.-17 Year-2024 Thana- BHANAS District- Rohtas

Arman Anshari @ Arman Ansari son of Haidar Ali @ Haidar Ali Ansari
Village- Chilharua PS -Bhanas District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashwani Kumar Tiwary

For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 18-06-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Bhanas P.S. Case No. 17 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 28.12.2024 by the informant, Manish Kumar Panjiyara.

3. As per the prosecution story, the informant alleged that during morning patrolling and on information, the place was raided and there is recovery/seizure of 108 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that the named has cropped up due to statement of the 'Chowkidar' with whom he has enmity, the recovery/seizure is from the straw. He has no criminal antecedent and nothing has been recovered from his conscious possession.



5. Learned APP opposes the prayer submitting that the 'Chowkidar' has named him.

6. Considering the submissions of the parties as also that the recovery/seizure if from an open place, the petitioner has no criminal antecedent, 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 Bhanas P.S. Case No. 17 of 2024 to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Rohtas at Sasaram 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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