

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36914 of 2025

Arising Out of PS. Case No.-112 Year-2025 Thana- BACHHWARA District- Begusarai

Shri Babu @ Rahul Kumar S/O Suresh Rai R/O Village- Rani, Ward No. 9,
PS- Bachhwara, Distt- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Narain Sinha, Advocate
	:	Ms. Khushi Awadh, Advocate
For the State	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2025 Heard Ms. Khushi Awadh, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Bachhwara P.S. Case No. 112 of 2025 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 28.03.2025 by the informant, Manoj Kumar Singh.

3. As per the prosecution story, the informant alleged that during patrolling, the information about arrival of consignment of wine was received and accordingly, the place was raided, though some managed to escape, Sonu Kumar and Vinit Kumar were apprehended and 351 liters foreign liquor recovered/seized. The persons arrested named this petitioner.



This led to the F.I.R.

4. Learned counsel for the petitioner submits that he has no criminal antecedent nor anything has been recovered from his conscious possession, only because of confessional statement, named. He is in business and nothing to do with the seizure of the wine. Last submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.15,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Begusarai for the purchase of journals (BLJ, SCC, PLJR, Bare Acts, etc.) for the Judgeship of Begusarai.

5. Learned APP opposes the prayer for bail submitting that the arrested persons have named the petitioner.

6. Considering the submissions put forward by the parties as also the fact that the petitioner has no criminal antecedent, nothing has been recovered from his conscious possession and has undertaken to diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.15,000/- by Demand Draft issued by the local branch of State Bank of India to the District Legal Services Authority, Begusarai for the purchase of journals (BLJ, SCC, PLJR, Bare Acts, etc.) for the



Judgeship of Begusarai and the receipt has to be submitted before the Trial Court.

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-1st, Begusarai, in connection with Bachhwara P.S. Case No. 112 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 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 bail bonds.

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

(Rajiv Roy, J)

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