

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37308 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- MATIHANI District- Begusarai

Aman Kumar @ Aman Chaudhary Son of Late Sanjay Chaudhary R/O Vill-
Pannapur, Ward No.-2, P.S.- Matihani, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Roop Kishan, Advocate

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh, 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 Matihani P.S. Case No.68 of 2024 for the offence under Sections 30(a) and 30(d) of Bihar Prohibition and Excise Act, lodged on 31.05.2025 by the informant, Ajay Kumar Rai.

3. As per the prosecution story, the informant alleged that on secret information, he went to the place, the petitioner managed to escape, upon search of the place, there is recovery/seizure of eight litres of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from a different place, joint property accessible to everyone and he does not have criminal



antecedent.

5. Learned APP opposes the prayer submitting that recovery/seizure is from his gate.

6. Considering the submissions put forward by the parties as also the fact that nothing has been recovered from his conscious possession nor he has 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 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 Matihani P.S. Case No.68 of 2024 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.

(Rajiv Roy, J)

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