

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38384 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- TANKUPPA District- Gaya

Rahul Kumar Son of Vijay Yadav @ Vijay Prasad Resident of village -
Mahamadpur, P.S.- Tankuppa, Dist.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithivi Raj Singh, Advocate
For the Opposite Party/s : Mrs. Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Tankuppa P.S. Case No. 69 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 16.04.2025 by the informant, Pradeep Kumar.

3. As per the prosecution story, the informant alleged that upon secret information, a person carrying bag was intercepted, he threw the bag and managed to escape, the locals gave the name of the petitioner. From the bag, there is recovery/seizure of 20 liters country-made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of the criminal antecedent, he has been implicated, nothing has been recovered from his conscious possession rather from the abandoned bag and if granted relief, he shall be



diligently appearing in trial.

5. Learned APP opposes the prayer submitting that he has criminal antecedents.

6. Taking into account the submissions of the parties as also that nothing has been recovered from his conscious possession and undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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-2, Gaya in connection with Tankuppa P.S. Case No. 69 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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