

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38561 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- Jagdishpur District- West Champaran

Santosh Yadav Son of Late Ramchandra Yadav Resident of village - Jhakhara
Jan Tola, Police Station - Jagdishpur, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, 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 Jagdishpur P.S. Case No. 50 of 2025 for the offence under sections 274 and 275 of the BNS and section 30(a) of the Bihar Prohibition and Excise Act lodged on 22.03.2025 by the informant, Sudhir Prasad.

3. As per the prosecution story, upon secret information, the house of the petitioner was raided and there is recovery/seizure of 17 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from the house which is a joint property, he has no criminal antecedent and if granted relief, shall be appearing in trial diligently.

5. Learned APP opposes the prayer submitting that



recovery/seizure is from his house.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent and the recovery/seizure is not from his conscious possession, 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-I, Bettiah, West Champaran in connection with Jagdishpur P.S. Case No. 50 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 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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