

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38449 of 2025

Arising Out of PS. Case No.-13 Year-2023 Thana- RAJPUR District- Buxar

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Ajay Yadav @ Ajay Kumar S/o Chandeshwar Yadav @ Chandeshwar Singh
R/o vill - Sakhua, P.O. - Jigana, P.S. - Dinara, Distt.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dr.Kamal Deo Sharma, Advocate

For the Opposite Party/s : Mr.Jai Narain Thakur, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-06-2025 Heard Dr. Kamal Deo Sharma, learned counsel for the

petitioner and the State.

2. The petitioner is apprehending arrest in connection with Rajpur P.S. Case No. 13 of 2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018 lodged on 06.01.2023 by the informant, Yusuf Ansari.

3. As per the prosecution story, the informant alleged that on secret information that liquor is coming from the U.P. side, two motorcycles were intercepted, three accused persons managed to escape but one of them was apprehended. He gave name of this petitioner and there is recovery/seizure of 72 liters and 51 liters of country made liquor from the two motorcycles. This led to the FIR.

4. Learned counsel for the petitioner submits that he



do not have criminal antecedent nor either of the motorcycle belongs to him, only because of enmity, he has been named. Last submission is that if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that the petitioner has no criminal antecedent nor the two motorcycles belong to him, 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 Rajpur P.S. Case No. 13 of 2023 to the satisfaction of learned Exclusive Special Judge, Excise Court No.1, Buxar 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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