

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38515 of 2025

Arising Out of PS. Case No.-7 Year-2022 Thana- NTPC KHAIRA District- Aurangabad

Aakash Singh Mahto Son of Munshi Singh Resident of Village - Maraujhian,
P.S.- Nasariganj, District - Rohtas, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rupa Kumari

For the Opposite Party/s : Mr. Ram Sumiran Rai

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 NTPC Khaira P.S. Case No. 07 of 2022 for the offence under Section 30(a) of the Bihar Prohibition and Excise (Amended) Act, lodged on 05.05.2022 by the informant, Haricharan Ram.

3. As per the prosecution story, the informant alleges that during vehicle checking, a motorcycle was intercepted and there is recovery of 48 litres of illicit country made liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that the petitioner being the owner of the motorcycle, has been implicated. He has given motorcycle to his friend. He has no criminal antecedent.



5. Learned APP opposes the prayer of bail and submits that he is the owner of the seized motorcycle.

6. Taking into account the submissions of the parties as also that petitioner has no criminal antecedent, 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 District & Additional Session Judge-cum-Exclusive Special Judge, Excise Court No. 2nd, Aurangabad, Bihar in connection with NTPC Khaira P.S. Case No. 07 of 2022, 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 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;

(iv) 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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