

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38434 of 2025

Arising Out of PS. Case No.-162 Year-2025 Thana- BIBHUTIPUR District- Samastipur

Amit Kumar S/o Birendra Ram Resident of Village- Ward No 12, Chakhabib,
P.S- Bibhutipur, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Singh, Advocate
For the State : Mrs. Renu Kumari, 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 Bibhutipur P.S. Case No. 162 of 2025 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 02.05.2025 by the informant, Anand Kumar Kashyap.

3. As per the prosecution story, the informant alleged that on secret information, the Police intercepted a Tata Sumo and there is altogether recovery/seizure of 143.910 liters foreign liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he neither owns nor the driver of the alleged vehicle, only due to local enmity has been named as he has one criminal antecedent of the same nature.



5. Learned APP opposes the prayer for bail submitting that his name has cropped up which led to the implication.

6. Considering the submissions of the parties as also the fact that the petitioner do not own the vehicle, F.I.R. is there, he shall be facing the music, 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-I, Samastipur, in connection with Bibhutipur P.S. Case No. 162 of 2025 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 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 bail bonds.

(Rajiv Roy, J)

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