

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59488 of 2025

Arising Out of PS. Case No.-864 Year-2025 Thana- PHULWARISHARIF District- Patna

Mohan Kumar S/O Girdhari Saw R/O Village- Bochachak, P.S.- Phulwari
Sharif, Dist.- Patna, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amarendra Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Phulwari Sharif P.S. Case No. 864 of 2025, special Case No. 781 of 2025 instituted under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 30.05.2025 by the informant, Ram Pravesh Ram.

3. As per the prosecution story, the Police upon secret information raided the house of Uday Singh and there is recovery/seizure of 15.30 liters of foreign liquor from the room, which according to Uday Kumar was rented to this petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that he has nothing to do with the said house nor anything has been recovered from his conscious possession. He do not have



criminal antecedent. Further, he undertakes that if granted relief, he shall be diligently appearing in trial.

5. Learned APP, Mr. Bharat Bhushan opposes the prayer.

6. Taking into account the submissions of the parties as also that nothing has been recovered from is conscious possession, an 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.

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 Phulwari Sharif P.S. Case No. 864 of 2025, to the satisfaction of learned Exclusive Special Judge Excise-I, Patna 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;

(iv) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(v) 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;

(vi) 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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