

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61241 of 2025

Arising Out of PS. Case No.-166 Year-2023 Thana- Excise P.S. District- Jamui

Sachin Kumar S/o- Shyamdev Yadav Village- Canara Bank Tola Alajara Dist-
Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Sanju Singh, Advocate

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard Ms. Sanju Singh, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with JAM P.S. Case No. 166 of 2023 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 13.02.2023 by the informant, Vikash Kumar.

3. As per the prosecution story, the informant alleged that on information, the motorcycle was intercepted, both Rakesh Kumar and Santosh Kumar were apprehended and by 375 ML foreign liquor recovered from Rakesh Kumar, 2.625 litres of foreign liquor recovered from Santosh Kumar, this led to the FIR.

4. Learned Counsel for the petitioner submits that his name has cropped up only because earlier he own the motorcycle but later sold to Rakesh Kumar, the transfer was not



completed. he has no criminal antecedent. If granted relief, he shall be diligently appearing in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Jamui in connection with JAM P.S. Case No. 166 of 2023, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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