

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59308 of 2025

Arising Out of PS. Case No.-189 Year-2021 Thana- TEGHRHA District- Begusarai

Rahul Kumar Son of Arvind Thakur Resident of village- Gaura 1st Ward no. 09, Ps- Teghra, Dist- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
	:	Mr. Ravi Kant, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard Mr. Ravi Kant, learned counsel for the petitioner and Mr. Jitendra Kumar Singh, learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Teghra P.S. Case No. 189 of 2021 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 11.06.2021 by the informant, Krishna Singh.

3. As per the prosecution story, the informant upon information, intercepted a Tempo and there is recovery/seizure of 32.04 liter foreign liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he has no criminal antecedent nor the Tempo belongs to him,



though the same has not been recorded in the petition, it is his categorical submission that the Tempo does not belongs to him nor is the driver of the said Tempo and if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer for bail.

6. Considering the submissions of the parties as also the fact that he does not own the Tempo nor has criminal antecedent, 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. However, if it comes to notice that the petitioner is the owner of the Tempo, the present order shall become infructuous.

8. 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 Excise Judge-I, Begusarai, in connection with Teghra P.S. Case No. 189 of 2021 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 six months to mark his attendance and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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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