

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61328 of 2025

Arising Out of PS. Case No.-198 Year-2023 Thana- KUTUMBA District- Aurangabad

Sonu Kumar Son of Chandu Singh R/o Village - Ordih, P.S . - Kutumba, Dist.
- Aurangabad(Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aman Vishal, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard Mrs. Lilawati Kumar, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kutumba P.S. Case No. 198 of 2023 for the offence registered under sections 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution story, the Police intercepted a motorcycle and recovered/seized 100 liter country made *mahua*. This led to the FIR.

4. Learned Counsel for the petitioner submits that the motorcycle belongs to his brother-in-law (Bahnoi) and as such, he had no role to play but the allegation is that he was driving it though concede that the petitioner has criminal antecedent.

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 he does not own the motorcycle nor anything has been recovered from his conscious possession, 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 District and Additional Sessions Judge-cum-Exclusive Special Judge, Excise Court No. 1, Aurangabad in connection with Kutumba P.S. Case No. 198 of 2023 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor s Kutumba P.S. Case No. 198 of 2023 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 and at the end of the period, the certificate be submitted to the Court;

(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)

Vijay Singh/-

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