

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59466 of 2025**

Arising Out of PS. Case No.-328 Year-2025 Thana- BARUN District- Aurangabad

1. Rohit Kumar S/o Anil Singh Resident of Village- Malpur, P.S.- Baroon, District- Aurangabad
2. Prabha Devi W/o Anil Singh Resident of Village- Malpur, P.S.- Baroon, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binod Kumar Pandey, Advocate  
For the Opposite Party/s : Mr.Binod Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      22-09-2025                      Heard the parties.

2. The petitioners are apprehending arrest in connection with Barun P.S. Case No. 328 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 28.06.2024 by the informant, Devanand Kumar.

3. As per the prosecution story, the Police intercepted a vehicle and there is recovery/seizure of 36 liters of country made liquor. The person driving it, Dilip Kumar got arrested.

4. Learned counsel for the petitioner submits that though the bike belongs to him, it was given to Dilip Kumar, little realizing that he was carrying the liquor. Though he concedes that the petitioner has criminal antecedent. Further,



they undertake that if granted relief, they shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that the motorcycle belongs to Prabha Devi.

6. Taking into account the submissions of the parties as also the fact that the person carrying the liquor, Dilip Kumar already stands arrested, the vehicle belong to the lady, an undertaking has been given they shall be diligently appearing in trial, in that background, this Court is inclined to extend them the privilege of anticipatory bail.

7. Let the petitioners be released on bail, in the event of their 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) each with two sureties of the like amount each in connection with Barun P.S. Case No. 328 of 2025 to the satisfaction of learned A.D.J. cum Exclusive Special Excise Court No.I, Aurangabad 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 petitioners who shall provide official document to show his/her bona fide;



(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall co-operate in the investigation and make themselves available to the police as and when required;

(iv) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their attendance;

(v) the petitioners 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

**(Rajiv Roy, J)**

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