

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61178 of 2025

Arising Out of PS. Case No.-10 Year-2024 Thana- CHIHARA District- Jamui

Mantu Das @ Mantu Kumar Das Son of Sahdeo Das @ Sahadew Das
Resident of Village - Katawat, P.S.- Chihra, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Devika Rani, Advocate
For the State : Mr. Rajendra Nath Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard Mrs. Devika Rani, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Chihra P.S. Case No. 10 of 2024 registered for the offence under Sections 30(a) and 32 of the Bihar Prohibition and Excise Act, lodged on 25.04.2024 by the informant, Arvind Kumar.

3. As per the prosecution story, the informant alleged that a motorcycle was intercepted and there is recover/seizure of total 50 liters country made liquor, the motorcycle rider escaped. This led to the F.I.R.

4. Subsequently, during the investigation, it was found that the petitioner was driving the motorcycle owned by his mother.



5. Learned counsel for the petitioner submits that it was taken by a friend, little realizing that it will be used for carrying liquor though concede that he has criminal antecedent and if granted relief, he shall be diligently appearing in trial

6. Learned APP opposes the prayer submitting that the vehicle belongs to petitioner's mother.

7. Considering the submissions of the parties as also that nothing has been recovered from his conscious possession and 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.

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 Excise Court No.1, Jamui, in connection with Chihra P.S. Case No. 10 of 2024 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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