

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61849 of 2025

Arising Out of PS. Case No.-777 Year-2025 Thana- Excise P.S. District- Aurangabad

Rakesh Kumar Singh S/o Krishna Singh R/o Vill- Ishapur, P.S.- Madanpur,
Distt- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepak Kumar, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Aurangabad Excise P.S. Case No. 777 of 2025 for the offence under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act lodged on 25.07.2025.

3. As per the prosecution story, the police on secret information, intercepted a pick-up van and recovered/seized 1040 liters of spirit. The person apprehended gave the name of the petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of his criminal antecedent, he has been implicated repeatedly, the pick-up van does not belong to him and his name has come in the confessional statement. The last



submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 10,000/- to the District Legal Services Authority, Aurangabad for beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Aurangabad Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that the lady apprehended gave his name.

6. Taking into account the submissions of the parties as also that the pick-up van does not belongs to him, FIR lodged and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Aurangabad for beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Aurangabad Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, Aurangabad.



7. 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 Judge, Excise-II, Aurangabad (Bihar) in connection with Aurangabad Excise P.S. Case No. 777 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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 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;

(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 his bail bonds.

8. A copy of the order be sent to the Principal District and Sessions Judge, Aurangabad for his/her perusal and needful.

(Rajiv Roy, J)

Adnan/-

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