

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61080 of 2025

Arising Out of PS. Case No.-339 Year-2024 Thana- SHAHPUR PATORI District- Samastipur

Hare Ram Kumar @ Hare Ram Paswan S/O Bhagwan Paswan R/O Vill.-
Inayatpur, Mirzapur, P.S.- Patori, District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar, Advocate
For the State : Mr. Rabindra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Shahpur Patori P.S. Case No. 339 of 2024 registered for the offence under Sections 274 and 275 of the B.N.S. and section 30(a) of the Bihar Prohibition and Excise Act, lodged on 25.08.2024 by the informant, Salauddin Khan.

3. As per the prosecution story, the Police on information reached near Mirzapur bushes and recovered/seized 12 liters country made liquor. The locals gave the name, petitioner included. This led to the F.I.R.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession rather from an open bushes, has no criminal antecedent, if granted relief, he shall be diligently appearing in trial.



5. Learned APP opposes the prayer for anticipatory bail.

6. Taking into account the submissions of the parties as also the fact that the petitioner has no criminal antecedent, 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.

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 Excise Judge-II, Samastipur, in connection with Shahpur Patori P.S. Case No. 339 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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