

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59527 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Daudnagar Excise District- Aurangabad

Santosh Kumar S/o Bhagirathi Prasad R/o Village- Pandit Mohalla, P.S.-
Obra, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Daudnagar Excise P.S. Case No. 35 of 2025 for the offence under sections 30(a) and 30(3) of the Bihar Prohibition and Excise Act lodged on 30.01.2025 by the informant, Rohit Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the motorcycle of the petitioner was intercepted and there is recovery/seizure of 10 liters country-made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that long ago, it was sold to one Pankaj Kumar who failed to get it registered in his name, the petitioner has no criminal antecedent and shall be diligently appearing in trial.



5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also the facts recorded above coupled with the fact that he has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

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 Special Judge Excise II, Aurangabad in connection with Daudnagar Excise P.S. Case No. 35 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.

(Rajiv Roy, J)

Adnan/-

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