

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59344 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- SAKRI District- Madhubani

Santosh Yadav S/O Surendra Yadav R/O Village- Sakri Yadav Tol, P.S- Sakri,
Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ravi Prakash, Advocate
For the State	:	Mr. Ramesh Chandra, 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 Sakri P.S. Case No. 107 of 2025 registered for the offence under Sections 274, 275 and 3(5) of the B.N.S. and section 30(a) of the Bihar Prohibition and Excise Act, lodged on 19.06.2025 by the informant, Damo Kumar.

3. As per the prosecution story, the informant alleged that during night patrolling and on secret information, about movement of huge quantity of liquor near Hanuman Temple, the place was raided when a scooty is there and there is recovery/seizure of 189 liter Nepali country made wine.

4. Learned counsel for the petitioner submits that he do not own or was the driver of the said vehicle, has no criminal antecedent, if granted relief, he shall be diligently appearing in



trial and further submission is that without accepting the allegation or outcome of the petition the petitioner intends to pay Rs.15,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Madhubani for the beautification/purchasing of flower pots/sanitary vending machine in the Civil Court Campus, Madhubani.

5. Learned APP opposes the prayer submitting that the arrested person Pawan Kumar Yadav gave the name of this petitioner.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, 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 subject to payment of Rs.15,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Madhubani for the beautification/purchasing of flower pots/sanitary vending machine whichever is required in the Civil Court Campus, Madhubani and the receipt of the expenditure shall be submitted to the Trial Court by the District Legal Services Authority, Madhubani.



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), Madhubani, in connection with Sakri P.S. Case No. 107 of 2025 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.

8. Let a copy of the order be communicated to the learned Principal District & Sessions Judge, Madhubani for perusal and needful.

(Rajiv Roy, J)

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