

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59316 of 2025

Arising Out of PS. Case No.-246 Year-2024 Thana- MANJHI District- Saran

Chandan Kumar Yadav @ Chandan Kumar S/O Lakshman Yadav R/O
Village- Mahmadpur, P.S- Bhagwanpur Hat, Distt.- Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Tiwary, Advocate
For the State : Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard Mr. Dhananjay Kumar Tiwary, learned
counsel for the petitioner and learned APP representing the
State.

2. The petitioner is apprehending his arrest in connection with Manjhi P.S. Case No. 246 of 2024 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 06.08.2024 by the informant, Mithilesh Kumar Singh.

3. As per the prosecution story, the Police intercepted a motorcycle and there is recovery/seizure of 6.480 foreign liquor, this led to the F.I.R.

4. Learned counsel for the petitioner submits that only because of criminal antecedent, he has been implicated by the chowkidar, the motorcycle does not belong to him, 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.10,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Saran at Chapra for the beautification/purchasing of flower pots/sanitary vending machine in the Civil Court Campus, Saran at Chapra.

5. Learned APP opposes the prayer submitting that the petitioner has criminal antecedent.

6. Considering the submissions of the parties as also the fact that the motorcycle does not belong to him, 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.10,000/- by Demand Draft issued by the local branch of the State Bank of India to the District Legal Services Authority, Saran at Chapra, for the beautification/purchasing of flower pots/sanitary vending machine whichever is required in the Civil Court Campus, Saran at Chapra and the receipt of the expenditure shall be submitted to the Trial Court by the District Legal Services Authority, Saran at Chapra.

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 2nd Exclusive Special Excise Judge, Saran at Chapra, in connection with Manjhi P.S. Case No. 246 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.

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

(Rajiv Roy, J)

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