

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64040 of 2025**

Arising Out of PS. Case No.-788 Year-2024 Thana- GARKHA District- Saran

Praduman Kumar @ Praduman Mahto Son of Rambabu Mahto R/o Village -  
Bichala Telpa Digha, P.S. - Town Thana, Saran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Ajay Kumar Jha, 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 Garkha P.S. Case No. 788 of 2024 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 23.12.2024 by the informant, Vikrant Kumar.

3. As per the prosecution story, the informant alleged that during the course of checking, one motorcycle was intercepted and from it, there is recovery/seizure of 120 liters of country made ‘chulai’. Rajan Sah was arrested and he gave the name of the petitioner who escaped. This led to the FIR.

4. Learned counsel for the petitioner submits that neither the motorcycle belongs to him nor he has anything to do with the alleged recovery/seizure and further, he has no criminal antecedent.



5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the motorcycle does not belong to the petitioner, nothing has been recovered from his conscious possession and he has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. 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 Court of Special Judge Excise, 1<sup>st</sup>, Saran at Chapra in connection with Garkha P.S. Case No. 788 of 2024 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/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

