

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63778 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- BHORE District- Gopalganj

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Kishan S/O Ram Nagina Resident of - Ward No. 06, Near - Saini High School, Balaji Colony, P.S. - Farrukhnagar (Rural), District - Gurgaon (Haryana)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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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 Bhore P.S. Case No. 63 of 2025 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 24.02.2025 by the informant, Pappu Kumar.

3. As per the prosecution story, the informant alleged that during the routine vehicle checking, a pick-up van was intercepted and there is recovery/seizure of 342.360 liters of foreign liquor. Masum Raja Elahi was apprehended and petitioner being pick-up van owner, the FIR.

4. Learned counsel for the petitioner submits that though he is the owner, had no knowledge about the driver taking up the liquor in the vehicle and has no criminal



antecedent. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 10,000/- to the District Legal Services Authority, Gopalganj for beautification of the Civil Court Campus/for the purchase of flower pots/for the purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Gopalganj Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent and the vehicle when intercepted, Masum Raja Elahi was caught with the liquor, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Gopalganj for the beautification of the Civil Court Campus/for the purchase of flower pots/for the purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Gopalganj Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, Gopalganj.



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 District and Additional Sessions Judge -XIII-cum-Special Excise Court No. I, Gopalganj in connection with Bhore P.S. Case No. 63 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.

9. A copy of the order be sent to the Principal District
and Sessions Judge, Gopalganj for his/her perusal and needful.

(Rajiv Roy, J)

Adnan/-

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