

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61167 of 2025

Arising Out of PS. Case No.-48 Year-2023 Thana- KOTWA District- East Champaran

Rakesh Dhangad Son of Mohan Dhangad Resident of Village -Dipahu
(Dipau) P.S. - Kotwa, Dist. - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the State : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard Mr. Manoj Kumar, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Kotwa P.S. Case No. 48 of 2023 registered for the offence under Sections 30(a) and 32 of the Bihar Prohibition and Excise Act, lodged on 09.02.2023 by the informant, Anuj Kumar Singh.

3. As per the prosecution story, the Police on information, raided three different houses and so far as the petitioner's house is concerned, there is recovery/seizure of 4 liters country made liquor. This led to the F.I.R.

4. Learned counsel for the petitioner submits that alleged recover is from the house, not from his conscious possession and he do not have criminal antecedent and if



granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also the fact that he has no criminal antecedent and nothing has been recovered from his conscious possession and an undertaking has been given that he shall be diligently appearing in trial, this Court is inclined to extend him the privilege of anticipatory bail.

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 Court No.1, East Champaran, Motihari, in connection with Kotwa P.S. Case No. 48 of 2023 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.

(Rajiv Roy, J)

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