

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61187 of 2025

Arising Out of PS. Case No.-280 Year-2025 Thana- MAJORGANJ District- Sitamarhi

Shivam Kumar Singh S/o- Vimlendu Kumar Singh Village - ward no. 3,
Belahi Jay Ram @ Belahia, P.S. -Sahiyara, Dist. - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Bishweshwar Ram, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard Mr. Santosh Kumar, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Majorganj P.S. Case No. 280 of 2025 for the offence registered under sections 317(5) of B.N.S. and 30(a) of the Bihar Prohibition and Excise Act lodged on 18.07.2025 by the informant, Mukteshwar Tiwary.

3. As per the prosecution story, the informant alleged that during patrolling duty, the motorcycle was intercepted and there is recovery/seizure of 36 litres of Nepali liquor, this led to the FIR.

4. Learned Counsel for the petitioner submits that only because he owns the motorcycle, he got implicated. He has no criminal antecedent, If granted relief, he shall be diligently appearing in trial.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the petitioners owns the motorcycle.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court- 1, Sitamarhi in connection with Majorganj P.S. Case No. 280 of 2025, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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