

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63703 of 2025**

Arising Out of PS. Case No.-65 Year-2025 Thana- DARPA District- East Champaran

Chhotelal sah son of Jokhan Sah Ressident of vill- Pipra, Ps- Darpa, Dist-  
East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Prateek Tandon, Advocate

For the Opposite Party/s : Mr. Ahmad Ali, 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 Darpa P.S. Case No. 65 of 2025 for the offence under sections 274 and 275 of the BNS and section 30(a) of the Bihar Prohibition and Excise Act lodged on 23.03.2025 by the informant, Mohan Kashyap.

3. As per the prosecution story, the informant alleged that on secret information, it reached near Baghmara Math, found one persons moving the sack on his head, upon call, he escaped throwing the sack and from it, there is recovery of 30 liters Nepali country-made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no criminal antecedent and the local 'chowkidar' due to enmity, named him.



5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that nothing has been recovered from his conscious possession nor he has any 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 Exclusive Special Excise Court No. 2, East Champaran, Motihari in connection with Darpa P.S. Case No. 65 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.

**(Rajiv Roy, J)**

Adnan/-

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