

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61227 of 2025

Arising Out of PS. Case No.-197 Year-2025 Thana- MADHUBAN District- East Champaran

Raushan Kumar Singh @ Raushan Kumar S/o Madan Singh R/o Village -
Kajranha Tola Miryasi, P.S - Madhuban, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Harsha Sashwat, Advocate

For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard Ms. Harsha Sashwat, learned Counsel for the
petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Madhuban P.S. Case No. 197 of 2025 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 11.06.2025 by the informant, Brajbhushan Singh.

3. As per the prosecution story, the police on information reached near Koraiya Primary School and recovered/seized 57 litres of foreign liquor. The locals gave the name of the petitioner, this led to the FIR.

4. Learned Counsel for the petitioner submits that a perusal of the FIR would show that recovery/seizure is near the said school not from his conscious possession, has no criminal antecedent, but got implicated, if granted relief, he shall be



diligently appearing in trial.

5. Learned APP Mr. Bharat Bhushan for the State, on the other hand, opposes the prayer for anticipatory bail submitting that his name cropped up and led to implication.

6. Considering the submissions of the parties as also the fact that he has no criminal antecedent and recovery/seizure is from an open place not from his conscious possession, 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 No. 3, Motihari, East Champaran in connection with Madhuban P.S. Case No. 197 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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