

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61264 of 2025

Arising Out of PS. Case No.-513 Year-2025 Thana- KADAMKUAN District- Patna

Madan Kumar Mahto Son of Shiv Charan Matho R/o Village - Aura, Ward no. 3, P.S. - Taryari, Dist. - Shohar. At present - C/o Gayatri Devi, M/o - 306, Hrand Sah Ki Ghat, Jhauganj, Patna City, P.S. - Chowk, Dist. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Kadamkuan P.S. Case No. 513 of 2025 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 25.07.2025 by the informant, Wasim Akram.

3. As per the prosecution story, a Scorpio was intercepted and there is recovery/seizure of 9 bottles of foreign liquor containing each of 500 ML (4.5 litres), this led to the FIR.

4. Learned Counsel for the petitioner submits that he has no criminal antecedent, the vehicle was given to his friend little realising that the same shall be used for carrying liquor. 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.

6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent and nothing has been recovered 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 Special Judge, Excise-2, Patna in connection with Kadamkuan P.S. Case No. 513 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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