

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63770 of 2025

Arising Out of PS. Case No.-1123 Year-2023 Thana- DANAPUR District- Patna

Md. Akbar S/O Late Abdul Malik Resident of Mohalla - Lalkothi, Danapur,
Police Station - Danapur, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Thakur Brajesh Singh, Advocate Ms. Tooba Hera, Advocate Mr. Pratyush, Advocate
For the Opposite Party/s :		Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard Ms. Tooba Hera, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending his arrest in connection with Danapur P.S. Case No. 1123 of 2023 for the offence under sections 30(a), 41 and 56 of the Bihar Prohibition and Excise Act lodged on 22.08.2023 by the informant, Amrendra Tiwary.

3. As per the prosecution story, the Police on secret information, intercepted an e-rickshaw and there is recovery of 50 liters country-made liquor. Ajay Kumar and Rajnish Kumar were apprehended, Rajnish Kumar was driving the e-rickshaw which is being owned by the petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that a



perusal of the FIR would show that two persons have been arrested alongwith the liquor, he being the owner had no knowledge about the liquor being carried and the last submission is that he has no criminal antecedent.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that the petitioner has no 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 Special Excise Judge, Danapur in connection with Danapur P.S. Case No. 1123 of 2023 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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