

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63912 of 2025

Arising Out of PS. Case No.-49 Year-2025 Thana- JALALPUR District- Saran

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Kundan Kumar Singh S/o Shekhar Singh R/o Village - Mishrawaliya
(Sakaddi), P. S - Jalalpur, District - Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Ataur Rahman, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Jalalpur P.S. Case No. 49 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 19.03.2025 by the informant, Sunil Kumar.

3. As per the prosecution story, the Police upon secret information, raided the place and from the Scooty, there is recovery/seizure of 48 liters of country made liquor while near the house of Jaglal Manjhi, there is recovery/seizure of 15 liters of foreign liquor, totalling 63 liters. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery from Scooty which do not belong to him as also near the house of Jaglal Manjhi, he has nothing to do with the said recovery and has no criminal antecedent.



5. Learned APP opposes the prayer submitting that his name has cropped up.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent and nothing has been recovered from his conscious possession nor the vehicle belong to him, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

8. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Jalalpur P.S. Case No. 49 of 2025 to the satisfaction of learned 02nd Exclusive Special Excise Judge, Saran at Chapra subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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;

(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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)

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