

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69335 of 2025

Arising Out of PS. Case No.-410 Year-2025 Thana- RUPASPUR District- Patna

Raju Kumar S/o- Arun Singh R/O Village- Ramjichak, P.S- Digha, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dharendra Prasad Sinha, Adv.
		Mr. Rishan Kumar, Adv.
For the Opposite Party/s :		Mr. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-10-2025 Heard Mr. Rishan Kumar learned Counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Rupaspur P.S. Case No. 410 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition & Excise (Amendment) Act, 2022.

3. The Police in the FIR has alleged that on secret information, two vehicles, one Maruti Baleno and the other Maruti Swift Dzire were searched and from the first vehicle, there is recovery/seizure of 193.500 liter foreign liquor whereas from the other, there is recovery of 477 liter foreign liquor. This led to the FIR.

4. Learned Counsel for the petitioner submits that he owns the Swift Dzire car from which there is recovery of 477 liter.



Actually, it was parked near Bakri market, Rukanpura, Patna as the petitioner had gone to purchase utensils but later found the car missing and on enquiry, came to know that it has been taken by the Police due to illegal parking. Later, he came to know about the recovery/seizure. The submission is that he do not have criminal antecedent.

5. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner(s) intends to contribute Rs. 20,000/- to the District Legal Services Authority, Danapur for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine (whichever is required) in the Civil Court Campus of Danapur Judgeship through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank.

6. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he owns one of the vehicle.

7. Taking into account the submissions of the parties as also that the petitioner do not have criminal antecedent, recovery is not from his conscious possession, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 20,000/- to the District Legal



Services Authority, Danapur for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Danapur Judgeship as undertaken by the petitioner(s) through through the learned counsel through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank and the receipt of the expenditure shall be submitted to the Trial Court by the DLSA, Danapur.

8. 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 Excise Judge, Danapur (Patna) in connection with Rupaspur P.S. Case No. 410 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner(s) should be the family members/relatives/distant relatives of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner(s) 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(s) shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner(s) 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(s) 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.

8. Let a copy of the order be sent to the learned Principal District and Sessions Judge, Patna for his/her perusal and needful.

(Rajiv Roy, J)

Vijay Singh/-

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