

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64088 of 2025

Arising Out of PS. Case No.-211 Year-2025 Thana- BUNIYAD GANJ District- Gaya

Amit Kumar @ Sanni Kumar S/o Birendra Yadav R/o Village- Badki Paeen,
Khidarpura, P.S.- Buniyadganj, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudhir Kumar Sinha
For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Buniyadganj P.S. Case No. 211/2025 for the offence under Sections Sections 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 23.06.2025 by the informant, Dilip Kumar.

3. As per the prosecution story, the Police alleged that on secret information that this petitioner is coming to Badki Paan Hat to sell illegal liquor, a raid was committed, the accused escaped on the motorcycle and the plastic sack, that was dropped, there is recovery/seizure of 60 liters of countrymade liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that on perusal of the F.I.R. would show that only on the basis of the



name given by the locals, he has been implicated in this case and nothing has been recovered from the conscious possession of the petitioner.

5. Learned APP opposes the prayer submitting that local gave the name of this petitioner.

6. Taking into account the submissions of the parties as also that nothing has been recovered from the conscious possession of the petitioner, this 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 Exclusive Special Excise Court No. 1, Gaya in connection with Buniyadganj P.S. Case No. 211/2025, 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)

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