

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64202 of 2025

Arising Out of PS. Case No.-128 Year-2025 Thana- KACCHWA District- Rohtas

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Ramjee Sah S/o Gulab Sah @ Gulabchand Sah R/o Village- Dinara, P.S.-
Dinara, District- Rohtas, State- Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Gopal Krishna Nishant, Adv.

For the Opposite Party/s : Mr. Harendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard Mr. Gopal Krishna Nishant, learned Counsel
for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Kachhawan P.S. Case No. 128 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act, 2018/2022 lodged on 04.06.2025 by the informant, Pravesh Kumar.

3. As per the FIR, the Police intercepted the motorcycles and there is recovery/seizure of 14 liter country made liquor. This led to the FIR.

4. Learned Counsel for the petitioner submits that one of the motorcycle belongs to him, though for the theft of the said vehicle, Dinara P.S. Case No. 157 of 2025 was lodged on 16.04.2025, much prior to the present FIR, he do not have



criminal antecedent.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the petitioner's motorcycle was used for the alleged movement of the liquor.

6. Considering the submissions of the parties as also the FIR which has been brought on record by the petitioner regarding the theft of the motorcycle, he do not have criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. However, if 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 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 Exclusive Special Judge, Court No. 1, Rohtas at Sasaram in connection with Kachhawan P.S. Case No. 128 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 and at the end of the period, the certificate be submitted to the Court;

(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)

Vijay Singh/-

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