

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63883 of 2025

Arising Out of PS. Case No.-331 Year-2023 Thana- KARAHGAR District- Rohtas

Purushotam Singh Son of Late Sadhu Sharan Singh Resident of Village - Jhari
Balthar, P.O.- Kala Pahadh, P.S.- Tendua, District - Aurangabad, Bihar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mrs.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Kargahar P.S. Case No. 331 of 2023 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 07.09.2010 by the informant, Brij Kishore Pandey.

3. As per the prosecution story, the informant alleged that on secret information, a motorcycle was intercepted and there is recovery/seizure of 2.4 ml of country made liquor. The petitioner being the owner, got implicated and the FIR.

4. Learned counsel for the petitioner with the help of document (not annexed) with the petition but provided in course of hearing shows that it was sold to Pintu Ram on 23.01.2019 prior to this incident and as such had no role to play in the matter, only because of criminal antecedent, he got implicated.



5. Let the same be kept on record.

6. Learned APP opposes the prayer submitting that he owns the motorcycle.

7. Considering the aforesaid submissions as also the document that has been provided to show that he sold the vehicle in the year 2019, 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 Kargahar P.S. Case No. 331 of 2023 to the satisfaction of learned Excise Special Judge Court No.1 (Excise), Rohtas at Sasaram 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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