

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63979 of 2025

Arising Out of PS. Case No.-295 Year-2024 Thana- MAKER District- Saran

Satendra Singh son of Pitamber Singh Resident Of Village- Prasauni Wazid
Ps- Kalyanpur, Dist- East champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Shweta Anand, Advocate

For the State : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard Ms. Shweta Anand, learned counsel for the

petitioner and Mr. Bharat Bhushan, learned APP representing the

State.

2. The petitioner is apprehending his arrest in connection with Maker P.S. Case No. 295 of 2024 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 23.12.2024 by the informant, Vinay Kumar.

3. As per the prosecution story, the informant alleged that on information, intercepted a Maruti Car and there is recovery/seizure of 37.500 liters foreign liquor. The arrested persons namely Anil Kumar and Nishant Kumar Shukla and they gave the name of accused persons, the petitioner included. This led to the F.I.R.

4. Learned counsel for the petitioner submits that he own the car, got implicated. Admittedly, the recovery/seizure is from Anil Kumar and Nishant Kumar Shukla who was given the



car as they wanted it for some emergency duty. Last submission is that the petitioner has no criminal antecedent and if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer submitting that the petitioner owns the car.

6. Taking into account the submissions of the parties as also that the petitioner do not have criminal antecedent, nothing has been recovered from his conscious possession rather from Anil Kumar and Nishant Kumar Shukla and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. However, if it is found that the petitioner has criminal antecedent contrary to the statement made in paragraph no.3 of the petition, 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 3rd Special Judge, Excise, Saran at Chapra, in connection with Maker P.S. Case No. 295 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following 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/her 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 and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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 bail bonds.

(Rajiv Roy, J)

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