

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.64210 of 2025**

Arising Out of PS. Case No.-478 Year-2025 Thana- ARA NAGAR District- Bhojpur

Parakash Kumar @ Prakash Kumar S/o Sadhu Ray R/o Village - Manichapra,  
P.S - Barhara, District - Bhojpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Akash Kumar Mishra, Adv.

For the Opposite Party/s : Mr. Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      24-09-2025                      Heard learned Counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Ara Town P.S. Case No. 478 of 2025 for the offence registered under sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 22.07.2025 by the informant, Krishnakant Mahto.

3. As per the prosecution story, the informant alleged that on secret information, the Police raided the house of Manoj Yadav and from the roof in the sacks, there is recovery/seizure of 12.625 liter foreign liquor. This led to the FIR.

4. Learned Counsel for the petitioner submits that admittedly, the recovery/seizure is from the roof of Manoj Yadav, and only due to enmity, the *Choukidar* has named him.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he has been named.

6. Considering the submissions of the parties as also that the recovery/seizure is from the roof of Manoj Kumar and 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 Excise Court No. 1, Bhojpur, Ara in connection with Ara Town P.S. Case No. 478 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/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

