

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64111 of 2025

Arising Out of PS. Case No.-153 Year-2025 Thana- SANDESH District- Bhojpur

Sanjay Yadav @ Sanjay Kumar Yadav S/O Late Ram Kishun Yadav @
Kishun Dev Yadav R/O Vill.- Nasratpur, P.S.- Sandesh, Dist.- Bhojpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Kumar

For the Opposite Party/s : Mr.Asha Devi

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 Sandesh P.S. Case No. 153/2025 for the offence under Sections Sections 30(a) of the Bihar Prohibition and Excise Amendment Act lodged on 07.07.2025 by the informant, Ranjit Kumar.

3. As per the prosecution story, the informant alleged that near the riverside, the police recovered/seized 20 liters of Mahua Liquor, Chowkidar named the petitioner. This led to the FIR.

4. Learned counsel for the petitioner submits that upon perusal of the F.I.R. would show that nothing has been recovered from the conscious possession of the petitioner rather from an open place. He has no criminal antecedent.



5. Learned APP opposes the prayer submitting that chowkidar named the petitioner.

6. Taking into account the submissions of the parties as also that nothing has been recovered from the conscious possession of the petitioner rather from an open place, the petitioner has clean 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 Judge, 2nd Bhojpur, Ara, in connection with Sandesh P.S. Case No. 153 of 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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