

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64894 of 2025

Arising Out of PS. Case No.-218 Year-2025 Thana- RAJEPUR District- East Champaran

1. Chandan kumar Rai S/O Ramadhar Rai @ Ramadhar Ray Resident of Village- Bhurkurwa, P.S- Rajepur, Distt.- East Champaran.
2. Ranjit Rai S/O Ramadhar Rai @ Ramadhar Ray Resident of Village- Bhurkurwa, P.S- Rajepur, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 25-09-2025 Heard the parties.

2. The petitioners are apprehending their arrest in connection with Rajepur P.S. Case No. 218 of 2025 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 22.07.2025 by the informant, Amar Kumar Paswan

3. As per the prosecution story, the informant alleged that during the course of patrolling, an Alto car was intercepted and from it, there is recovery/seizure of 212.04 liters of foreign liquor. The locals gave the name of the persons who escaped, petitioners included. This led to the FIR.

4. Learned counsel for the petitioners submit that



neither they have criminal antecedent nor the car belongs to them and only because the locals gave the name, implicated. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioners jointly intend to contribute Rs. 15,000/- to the District Legal Services Authority, East Champaran for the beautification of the Civil Court Campus/for purchase of flower pots/for purchase of sanitary vending machine, whichever is required in the Civil Court Campus of East Champaran Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that the locals have named them.

6. Taking into account the submissions of the parties as also that the petitioners do not have criminal antecedent nor the car belongs to them, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 15,000/- to the District Legal Services Authority, East Champaran for the beautification of the Civil Court Campus/for purchase of flower pots/for purchase of sanitary vending machine, whichever is required in the Civil Court Campus of East Champaran Judgeship through Demand Draft issued by the local branch of the State Bank of



India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, East Champaran.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioners have criminal antecedent, the present order shall become infructuous.

8. Let the petitioners 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) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No. 3, Motihari, East Champaran in connection with Rajepur P.S. Case No. 218 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 petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their



attendance;

(iv) the petitioners 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 petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

9. A copy of the order be sent to the Principal District and Sessions Judge, East Champaran for his/her perusal and needful.

(Rajiv Roy, J)

Adnan/-

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