

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70660 of 2024

Arising Out of PS. Case No.-25 Year-2022 Thana- KALER District- Jehanabad

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Jitendra Prasad Son of Durga Sao @ Durga Prasad Resident of Village -
Murma, P.S. - Pandwa, District - Palamu, at present Doctor Hostel 01 NMCH
Guljarbag, P.S. - Guljarbag, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Paras Nath, Advocate
For the Opposite Party/s : Mr.Ramesh Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 10-01-2025 Heard Mr. Savitesh Kumar, learned counsel for the

petitioner and Mr. Ramesh Chandra, learned APP for the State.

2. The petitioner is apprehending arrest in connection
with Kaler P.S. Case No. 25 of 2022 instituted under Section
30(a) of the Bihar Prohibition and Excise Act (Amendment) Act,
2018 lodged on 09.03.2022 by the informant, Arun Kumar
Yadav.

3. As per the prosecution story, the allegation in the
FIR is that 68.25 liters of English wine and 12.300 liters of
country made liquor has been recovered/seized from the secret
chamber of the Hyundai car. Accordingly, the FIR was lodged
and the petitioner has been taken into custody.

4. Learned counsel for the petitioner submits that he



is owner, had knowledge about the said movement of the liquor, has no criminal antecedent and shall cooperate in the investigation and shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Considering the submissions put forward by the parties as also that he has no criminal antecedent and will be diligently appearing in trial, this Court is inclined to extend him the privilege of anticipatory bail.

7. 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 Kaler P.S. Case No. 25 of 2022 to the satisfaction of learned Special Excise Court No.II, Jehanabad 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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