

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70280 of 2025

Arising Out of PS. Case No.-524 Year-2024 Thana- Excise P.S. District- Siwan

Dipankaj Kumar Yadav @ Sant Lal Kumar Yadav S/O Siya Shankar Yadav
Resident of Village - Pukhrera (Vijaipur), P.S. - Mairwa, District - Siwan
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate
For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-10-2025 Heard Mr. Bijay Prakash Singh, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Siwan Excise P.S. Case No. 524 for the offence registered under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act lodged on 30.08.2024 by the informant, Yashwant Patel.

3. As per the FIR, the police on secret information intercepted a Bolero and there is recovery/seizure of 900 litres of foreign liquor. Karan Kumar and Pradeep Kumar arrested and they gave the name of this petitioner, accordingly, the FIR.

4. It is a case of the petitioner that neither he owns the Bolero nor anything has been recovered from his conscious possession, further he do not have criminal antecedent.

5. The last submission is that without accepting the



allegation and/or the outcome of the present case, the petitioner(s) intends to contribute Rs. 25,000/- to the District Legal Services Authority, Siwan for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine (whichever is required) in the Civil Court Campus of Siwan Judgeship through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank.

6. Learned APP Mr. Jitendra Kumar Singh for the State, on the other hand, opposes the prayer for anticipatory bail submitting that those arrested have name the petitioner.

7. Taking into account as also the submission of the parties that nothing has been recovered from his conscious possession nor the vehicle belong to him and the petitioner do not have criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs.25,000/- to the District Legal Services Authority, Siwan for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Siwan Judgeship as undertaken by the petitioner(s) through through the learned counsel through Demand Draft issued by



the local branch of the State Bank of India/any Nationalized Bank and the receipt of the expenditure shall be submitted to the Trial Court by the DLSA Siwan.

8. 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.

9. 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 Judge, Excise Court No. 1, Siwan in connection with Siwan Excise P.S. Case No. 524 of 2024 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner(s) should be the family members/relatives/distant relatives of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner(s) 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(s) 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(s) 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(s) 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.

10. Let a copy of the order be sent to the learned Principal District and Sessions Judge, Siwan for his/her perusal and needful.

(Rajiv Roy, J)

Raj Ranjan/-

U		T	
---	--	---	--

