

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71447 of 2025

Arising Out of PS. Case No.-134 Year-2017 Thana- KASIMBAZAR District- Munger

Arun Kumar Chaurasia S/o Late Misri Lal Chaurasia Resident of Sadipur, PS-
Kotwali, District- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Fazle Karim, Advocate
	:	Ms. Niharika Rani, Advocate
For the State	:	Mr. Nand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-10-2025 Heard Ms. Niharika Rani, learned counsel for the
petitioner and learned APP representing the State.

2. The petitioner is apprehending his arrest in connection with Kasim Bazar P.S. Case No. 134 of 2017 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 16.06.2017 by the informant, Bal Krishna Yadav.

3. As per the prosecution story, the Police on secret information of movement of liquor, checked the Pick-Up Van. One Vinay Kumar as also Vijay Kumar informed that Arun Kumar Chaurasia (petitioner) is the owner of the vehicle. Upon search, the recovery/seizure is of 14 liters liquor from Pick-Up Van and 40.600 from the hidden chamber of the said Pick-Up Van. This led to the F.I.R.

4. Learned counsel for the petitioner submits that only because of ownership, he got implicated, has no criminal



antecedent, the F.I.R. clearly shows that those taken into custody have informed that they had taken the vehicle on payment basis, if granted relief, he shall be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Taking into account the submissions of the parties as also that those present alongwith the vehicle/seizure of the liquor has already got arrested, he is the owner, has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. However, if it is found that contrary to the statement made in paragraph no.3 of the petition, 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 Judge, Excise Court, Munger, in connection with Kasim Bazar P.S. Case No. 134 of 2017 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following 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/her 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 and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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 bail bonds.

(Rajiv Roy, J)

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