

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70746 of 2025

Arising Out of PS. Case No.-68 Year-2024 Thana- RUPO District- Nawada

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Vishnudeo Prasad Yadav @ Vishnu Dev Prasad S/O Late Shoukhi Yadav
Resident of Village- Mansagar, P.S- Rupau, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-10-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rupau P.S. Case No. 68 of 2024 for the offence under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 23.08.2024 by the informant, Abhishek Kumar.

3. As per the prosecution story, the informant alleged that during patrolling, the Police intercepted a motorcycle and there is recovery/seizure of 5 liters of country-made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that only because of the criminal antecedents and being the owner of the motorcycle, got implicated. He had given the motorcycle to one Munna Kumar who had gone to the market to purchase medicine and now only because he is the owner, implicated.



5. Learned APP opposes the prayer submitting that beside he being the owner also have criminal antecedents.

6. Taking into account the submissions of the parties as also that Munna Kumar has been arrested with liquor, FIR is there and he shall be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. 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 Court Excise-2, Nawada in connection with Rupau P.S. Case No. 68 of 2024 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 six months to mark his attendance and after the end of the period, the certificate shall be submitted before the Trial Court failing which steps shall be taken for the cancellation of the 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 his bail bonds.

(Rajiv Roy, J)

Adnan/-

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