

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70694 of 2025

Arising Out of PS. Case No.-1786 Year-2023 Thana- Excise P.S. District- Kishanganj

Md. Gyanuddin son of Late Md. Dabiruddin @ Late D. Halal Resident of
Village -Chaupukuriya Halal Chaupukuria PS -Chaupukuria Dist- Darjeeling
West Bengal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Sinha, Advocate

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 14-10-2025 Heard the parties.

2. The petitioner is apprehending arrest in connection with Special Case No. 01 of 2024 arising out of Kishanganj Excise Case No. 1786 of 2023 instituted under Section 30(a), 32(3) of the Bihar Prohibition and Excise Act lodged on 31.12.2023 by the informant, Satish Kumar.

3. As per the prosecution story, the Police during vehicle checking, intercepted a motorcycle and upon search, 650 ml beer recovered/seized. Badal Kumar and Dipesh Kumar were arrested. This led to the FIR.

4. Learned counsel for the petitioner submits that earlier, he owned the motorcycle which was later sold to Krishna Verman, has no criminal antecedent and no role to play



in the present case.

5. Learned APP opposes the prayer submitting that the motorcycle was registered in the name of the petitioner.

6. Taking into account the submissions of the parties as also that two persons already stand arrested with the beer, FIR is there, the petitioner has undertaken to diligently appearing in trial, in that background, 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 Special Case No. 01 of 2024 arising out of Kishanganj Excise Case No. 1786 of 2023 to the satisfaction of learned Exclusive Special Judge Excise-II, Kishanganj 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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