

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69295 of 2025

Arising Out of PS. Case No.-241 Year-2025 Thana- Excise P.S. District- Rohtas

Vishal Kumar S/o Arun Paswan R/o Village- Utar Patti, Tilauthu, P.S.-
Tilauthu, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subash Kumar, Adv.

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 09-10-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Sararam Excise P.S. Case No. 241 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act, 2018.

3. As per the prosecution story, the Police got information that Raja Kumar and this petitioner are set to deliver wine. The Police saw two persons coming, one managed to escape, the other person, Raja Kumar apprehended with 25 liter country made liquor and he gave the name of the petitioner. This led to the FIR.

4. Learned Counsel for the petitioner submits that he do not have criminal antecedent, recovery is from Raja Kumar,



only on the basis of his confession before the Police, the petitioner got implicated.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that the apprehended person named him.

6. Considering the aforesaid submissions as also that the confession has been made before the Police, he do not have criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. 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.

8. 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 Special Judge, Excise Court No. 1, Rohtas at Sasaram in connection with Sararam Excise P.S. Case No. 241 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 attendance and at the end of the period, the certificate be submitted to the Court;

(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 the bail bonds.

(Rajiv Roy, J)

Vijay Singh/-

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