

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69333 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- CHANDI District- Bhojpur

Rohan Kumar @ Rohan Kumar Singh @ Gunga S/O Ashok Singh @ Ashok
Kumar Singh R/O Vill.- Narhi, P.S.- Chandi, Dist.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 09-10-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Chandi P.S. Case No. 126 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Amendment Act, 2022.

3. As per the FIR, the Police on secret information that the petitioner is selling country made liquor, raided the place and there is recovery/seizure of 100 liter country made liquor near the bushes of his house. This led to the FIR.

4. Learned Counsel for the petitioner submits that recovery/seizure is from bushes, he has no criminal antecedent, is a student, falsely implicated.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that on secret



information, the place was raided.

6. Taking into account the submissions as also the fact that nothing has been recovered from his conscious possession rather from the bushes, this petitioner has no 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 Exclusive Special Excise Court No. 1, Bhojpur at Ara in connection with Chandi P.S. Case No. 126 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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