

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70691 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- CHANDI District- Bhojpur

Rajeev Kumar Son of Shiv Balak Ray Village- Awathichak PS- Gaurichak,
Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Kumar, Advocate

For the Opposite Party/s : Mr.Jitendra Kumar Singh, 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 Chandi P.S. Case No. 91 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 04.06.2025 by the informant, Praveen Kumar.

3. As per the prosecution story, the Police intercepted three motorcycles and there is recovery/seizure of altogether 300 liters of wine. This led to the FIR.

4. Learned counsel for the petitioner submits that one of the motorcycle belongs to him which was stolen and for which the petitioner went to lodge the FIR which was recorded vide entry no. 861 of 2025. Last submission is that he do not have criminal antecedent.

5. Learned APP, Mr. Jitendra Kumar Singh opposes



the prayer submitting that he owns one of the motorcycle.

6. Considering the submissions of the parties as also the fact the petitioner has no criminal antecedent, it has been recorded that the theft of the motorcycle took place, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. If, however, it is found that contrary to the statement made in paragraph no. 3, it is found that the petitioner have any criminal antecedent, the present order shall become infructuous.

8. 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 Chandi P.S. Case No. 91 of 2025 to the satisfaction of learned Chief Judicial Magistrate, Bhojpur at Ara 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;

(iv) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(v) 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;

(vi) 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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