

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71483 of 2025

Arising Out of PS. Case No.-178 Year-2025 Thana- DURAULI District- Siwan

Amit Kumar S/O Suresh Yadav Resident of village- Gayghat, P.S.- Aandar,
Dist.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Anupam, Advocate
For the Opposite Party/s : Mr. Abhay Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-10-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Darauli P.S. Case No. 178 of 2025 for the offence registered under sections 30(a) and 41(i) of the Bihar Prohibition and Excise Act lodged on 04.07.2025 by the informant, Anoj Kumar.

3. As per the prosecution story, the police on information intercepted two Scooty and there is recovery/seizure of 21 litres and 12.960 litres of foreign liquor respectively, this led to the FIR.

4. Learned Counsel for the petitioner submits that he owns one of the vehicle, Kartik Kumar Ram took it away for the emergency purposes little realising that the same shall be used for movement of liquor. If granted relief, he shall be diligently appearing in trial.



5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that he has four criminal antecedent of the same nature.

6. Taking into account the aforesaid fact as also that one person has already been arrested along with liquor, nothing has been recovered from the conscious possession of the petitioner, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with condition.

7. 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, Siwan in connection with Darauli P.S. Case No. 178 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner(s) should be the family members/relatives/distant relatives of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner(s) 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(s) 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(s) 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(s) 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)

Raj Ranjan/-

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