

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70692 of 2025

Arising Out of PS. Case No.-92 Year-2024 Thana- SIMRAHA District- Araria

Mayanand Bahardar S/o Sahdeo Bahardar R/o Village - Kavilash, Ward No.-
07, Khawaspur, P.S - Simraha, District - Araria

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Kundan Kumar Singh, Advocate Mr. Bishwajeet Singh, Advocate Mr. Umesh Roy, Advocate
For the Opposite Party/s :		Mr.Kanhiya Kishor, 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 Simraha P.S. Case No. 92 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 04.08.2024 by the informant, Paras Nath.

3. As per the prosecution story, the Police tried to intercept a motorcycle which wanted to take U-turn and escape but ultimately, it was seized. The rider managed to escape, the locals gave the name of the petitioner. The recovery/seizure is of 37 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner, Mr. Kundan Kumar Singh submits that only because of criminal antecedent, he has been implicated. The motorcycle does not belong to him.



5. Learned APP opposes the prayer submitting that the locals gave his name.

6. Taking into account the submissions of the parties as also that he does not own the motorcycle, FIR lodged, he shall be facing the music, 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 Simraha P.S. Case No. 92 of 2024 to the satisfaction of learned Exclusive Spl. Judge Excise-I, Araria or his successor Court 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;

(iv) 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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