

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71378 of 2025

Arising Out of PS. Case No.-356 Year-2025 Thana- BAIRIYA District- West Champaran

Rambhuj Yadav @ Rambhaju Yadav son of Gama yadav Village -Dumaria
Police station -Bairiya District -west Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vashishth Narayan Mishra, Advocate
: Mr. Brij Kishor Mishra, Advocate
For the State : Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 15-10-2025 Heard Mr. Vashishth Narayan Mishra, learned
counsel for the petitioner and learned APP representing the
State.

2. The petitioner is apprehending his arrest in connection with Bairiya P.S. Case No. 356 of 2025 registered for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 16.08.2025 by the informant, Rajiv Kumar.

3. As per the prosecution story, the informant alleged that upon information, the vehicle was intercepted, those on it managed to escape. Chowkidar named three accused persons, the petitioner included. Upon search, 291.84 liters English Wine recovered/seized. This led to the F.I.R.



4. Learned counsel for the petitioner submits that only because he has criminal antecedent, the Chowkidar named him, he has been implicated, nothing has been recovered from his conscious possession. Last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner(s) intends to contribute Rs15,000/- to the District Legal Services Authority, West Champaran at Bettiah for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine (whichever is required) in the Civil Court Campus of West Champaran at Bettiah Judgeship through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank.

5. Learned APP opposes the prayer submitting that the Chowkidar has named him.

6. Taking into account the submissions of the parties as also that nothing has been recovered from his conscious possession nor the vehicle belong to him, in that background, this Court is inclined to extend him the privilege of anticipatory bail subject to payment of Rs.15,000/- to the District Legal Services Authority, West Champaran at Bettiah for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is



required in the Civil Court Campus of West Champaran at Bettiah Judgeship as undertaken by the petitioner(s) through the learned counsel through Demand Draft issued by the local branch of the State Bank of India/any Nationalized Bank and the receipt of the expenditure shall be submitted to the Trial Court by the District Legal Services Authority, West Champaran at Bettiah.

7. Let the petitioner be released on bail in the event of arrest or surrender 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 like amount each to the satisfaction of learned Special Judge (Excise)-1st Bettiah, West Champaran, in connection with Bairiya P.S. Case No. 356 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following 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/her 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 and at the end of the period a certificate be submitted before the Trial Court failing which the State shall be at liberty to take steps for cancellation of bail bonds;

(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 bail bonds.

8. Let a copy of the order be sent to the Principal District & Sessions Judge, West Champaran at Bettiah.

(Rajiv Roy, J)

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