

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48557 of 2024**

Arising Out of PS. Case No.-136 Year-2024 Thana- NAVINAGAR District- Aurangabad

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MRITUNJAY SINGH @ MRITUNJAY KUMAR SINGH SON OF  
PRADUMAN SINGH R/O- VILLAGE- MAIGRA, NABINAGAR BARA,  
P.S.- NABINAGAR, DISTT.- AURGAGABAD ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

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**Appearance :**  
For the Petitioner/s : Ms.Nikita Mittal, Advocate  
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      07-08-2024                      Heard Ms. Nikita Mittal, learned counsel for the  
  
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Nabinagar P.S. Case No. 136 of 2024 instituted under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 lodged on 11.05.2024 by the informant, Jitendra Kumar.

3. As per the prosecution story, the informant alleged that upon information, they reached the orchard of Lalit Babu but on the sight of the police, the accused managed to escape. The locals gave the name of this petitioner and from the said place, in a green plastic container, 15 liters of Mahua recovered/seized which followed the FIR.

4. Learned counsel for the petitioner submits that recovery is from an open place, admittedly nothing has been recovered from his conscious possession, the locals due to



enmity has given his name and the last submission is that the petitioner do not have criminal antecedent.

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

6. Taking into account the aforesaid submission as also the fact that recovery is from an open place and further this petitioner has no criminal antecedent, 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 Nabinagar P.S. Case No. 136 of 2024 to the satisfaction of learned Special Judge Excise-1, Aurangabad 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;

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

(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 his bail bonds.

8. Before parting, this Court would like to put on record its word of appreciation for Ms. Ms. Nikita Mittal, learned counsel for the petitioner for the proper assistance rendered in the matter.

**(Rajiv Roy, J)**

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