

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60999 of 2024

Arising Out of PS. Case No.-177 Year-2024 Thana- ROHTAS District- Rohtas

Nandu Prasad Son Of Late Harikesh Saw Resident Of Village - Akbarpur,
P.O.- Rohtas, P.S. And District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 11-09-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rohtas P.S. Case No. 177 of 2024 for the offence under Section 30(a) of the Bihar Prohibition and Excise Act, lodged on 14.05.2024 by the informant, Vijay Kumar Manjhi.

3. As per the prosecution story, the informant alleged that upon secret information that Samir Ranjan and his father Nandu Prasad (petitioner herein) are unloading Mahua flower in the house from the Pick-Up Van, the place was raided and there is a recovery of 1885 Kg Mahua flower from the place which led to the F.I.R.

4. Learned counsel for the petitioner submits that exclusively for the use of animals and not for any illegal act,



further, he do not have criminal antecedent. The last submission is that he will be diligently appearing in trial.

5. Learned APP opposes the prayer.

6. Taking into account the aforesaid submissions as also the fact that the petitioner do not have criminal antecedent and has under taken he will diligently appearing in trial, this Court is inclined to extend him the privilege of anticipatory bail.

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 Exclusive Special Excise Court No.2, Rohtas at Sasaram, in connection with Rohtas P.S. Case No. 177 of 2024, 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;

(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/her bail bonds.

(Rajiv Roy, J)

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