

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10164 of 2025

Arising Out of PS. Case No.-161 Year-2019 Thana- NADI P.S. District- Patna

Arvind Rai @ Arvind Kumar, Male, aged about 40 years, S/O Jatu Rai, R/O
Village- Jethuli, P.S- Nadi, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Soni Kumari, Advocate

For the Opposite Party : Mrs. Indu Kumari Srivastava, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 27-03-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Nadi P.S.
Case No. 161 of 2019 dated 03.07.2019 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act, 2016.

3. As per the prosecution case, total 30.42 litres of
foreign liquor was recovered from the house of the co-accused
Saryug Rai.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the
present case. He was not arrested on the spot. His name has
come in the present case on the basis of secret information. The



alleged recovery of illegal liquor has not been made from the possession of the petitioner rather the same has been recovered from the house of the co-accused Saryug Roy. He has no concern with the alleged offence. It is further submitted that earlier the petitioner was granted anticipatory bail by another Co-ordinate Bench of this Court vide Cr. Misc. No. 45397 of 2024 under order dated 09.08.2024, annexed as Annexure-1 to the present bail petition but he was not granted anticipatory bail because he has criminal antecedent of more than two cases in that event, the anticipatory bail order shall not be given effect to, annexed as Annexure-P/1 to the present bail petition. The petitioner has six criminal antecedents as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 19.01.2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court of Excise, Patna City in connection with Nadi P.S.



Case No. 161 of 2019 with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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