

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10415 of 2025

Arising Out of PS. Case No.-1157 Year-2022 Thana- Mufassil District- Khagaria

Nageshwar Singh @ Nago Singh Son of Lakhan Singh, Resident of Village-
Vishnupur Ahok, P.S.- Sahebpur Kamal, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh, Advocate
For the State : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 14-02-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Khagaria (Muffasil) P.S. Case No. 1157 of 2022 dated 05.11.2022, registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise Act, 2018.

3. As per allegation, there is recovery of 175.320 litre liquor from a bolero car.

4. Learned counsel for the Petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is no way involved in the alleged offence. He further submits that petitioner was neither present at the place of occurrence nor is he owner of the vehicle.



He further submits that only material against the petitioner is confessional statement of co-accused, which has no evidentiary value.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in two other cases.

7. Learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No. 1157 of 2022, subject to the conditions as laid down under Section 438 (2) Cr.PC and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any additional criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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