

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19038 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- Lakho District- Begusarai

Pandav Kumar, Son of Jamhar Yadav @ Javahar Yadav @ Jamahar Yadav
R/O Vill- Mastifatehpur, P.S.- Lakho, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Lakho P.S. Case No. 26 of 2025 dated 18.02.2025 instituted for
the offence punishable under Sections 30(a) of the Bihar
Prohibition and Excise Act.

3. The allegation is of recovery of 7.5 litres foreign
liquor from a place adjacent to village road near Masti Fatehpur
Dhala.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from the conscious possession of the petitioner or from
his house. The recovery has been made from a ditch adjacent to



village road, which is an open place. The petitioner has been made accused in this case only on the basis of confessional statement of co-accused Ankit Kumar. Lastly, it has been submitted that petitioner has one criminal case against him of similar nature.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Lakho P.S. Case No. 26 of 2025, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court, Begusarai subject to condition as laid down under Section 438(2) of the Cr.P.C. as well as the following conditions:-

I. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



II. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

III. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

IV. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Khatim Reza, J)

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