

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22431 of 2025

Arising Out of PS. Case No.-891 Year-2024 Thana- Excise P.S. District- Nawada

Sikandra Sah @ Sikandra Saw S/o- Prakash Sah Village- Saphi Chaudharidih
PS-Domchanch, Dist- Koderma ,State- Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vivek Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Khurshid Anwar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-04-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 891 of 2024 for the offence under section 30(a) and 47 of the Bihar Prohibition and Excise Act lodged on 20.12.2024 by the informant, Nirranjan Kumar.

3. As per the prosecution story, the informant alleged that when the Police, upon information, reached the Budhiya Sakh Forest, found motorcycle coming. Though one of the accused persons was nabbed, there is recovery/seizure of 19.875 liters of foreign liquor. He gave the name of Pintu Kumar and further informed that they are working under this petitioner carrying liquor from Jharkhand. This led to the FIR.

4. Learned counsel for the petitioner submits that he



do not have criminal antecedent nor anything has been recovered from his conscious possession, he is not even the owner of the motorcycle, but only due to enmity, got implicated. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 10,000/- to the District Legal Services Authority, Nawada for beautification/putting up flower pots in the Civil Court Campus of Nawada Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that his name has come in the confessional statement.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent nor is the owner of the vehicle, FIR lodged, will be facing the trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Nawada for beautification/putting up flower pots in the Civil Court Campus of Nawada Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA, Nawada.



7. However, if it is found that the petitioner has criminal antecedent(s), the present order shall become infructuous.

8. 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 Court-II, Nawada/concerned Court, in connection with Excise P.S. Case No. 891 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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;

(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.

9. A copy of the order be sent to the Principal District
and Sessions Judge, Nawada for his/her perusal and needful.

(Rajiv Roy, J)

Adnan/-

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