

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24449 of 2025

Arising Out of PS. Case No.-51 Year-2019 Thana- BAIKUNTHPUR District- Gopalganj

Nagendra Singh Son of Late Dina Singh @ Late Dinanath Singh Resident of
Village- Khajuhati Dayagir Ke Tola, P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Srivastva, Advocate

For the Opposite Party/s : Mrs. Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 06-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Baikunthpur P.S. Case No. 51 of 2019, dated 14.03.2019, lodged under Sections 272 & 273 of the Indian Penal Code and under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per the prosecution, total recovery of 4.8 litres of illicit country made liquor has been made, which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel further submits that nothing has been recovered from the possession of the petitioner, rather, the recovery has been made from outside the house. Counsel further submits that the petitioner's name has figured in this case under conspiracy.



Counsel also submits that the criminal antecedent of the petitioner is not clean, there is one criminal case pending against him, which is also related to an excise matter. Moreover, counsel submits that the petitioner is ready to fulfill all the conditions whatsoever shall be imposed by this Hon'ble Court.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the criminal antecedent of the petitioner is not clean.

6. In the present facts and circumstances, this Court is not inclined to grant anticipatory bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner is hereby **rejected**.

7. It is directed to the petitioner to surrender before the Trial Court within a period of 4 weeks from today. In case, the petitioner surrenders within four weeks, then the Trial Court is directed to pass order on his surrender-cum-bail application on the same day without being prejudice that the anticipatory bail of the petitioner has been rejected by this Court and the Trial Court shall pass order on the merit of this case.

(Dr. Anshuman, J.)

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