

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25960 of 2025**

Arising Out of PS. Case No.-123 Year-2025 Thana- RAJAOLI District- Nawada

Rohit Kumar S/O Hiralal Rajbanshi @ Hiral Lal Ram Resident of Village-  
Itwa, P.S- Akbarpur, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Sheo Nandan Prasad, Advocate  
For the State : Mr. Ahmad Ali, APP

**CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR**  
**ORAL ORDER**

2      07-05-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Rajauli P.S. Case No.123 of 2025, dated 13.03.2025 registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 153 litre of illicit liquor has been recovered from a ditch beside the road. As per further allegation, the motorcycle of the petitioner was standing there.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from his house or from his vehicle. In fact, the recovery has been



made from a public place accessible to the public at large.

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 bail petition that the petitioner has no criminal antecedents.

7. However, 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 the concerned Court, in connection with Rajauli P.S. Case No.123 of 2025, 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 criminal antecedents, 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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