

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27699 of 2025

Arising Out of PS. Case No.-50 Year-2025 Thana- TELHARA District- Nalanda

Uday Bind Son of Krishna Jamadar Resident of Village- Telhara Beldari Tola,
P.S.- Telhara, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranvijay Singh, Adv

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR SINHA
ORAL ORDER

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

2. The petitioner apprehends his arrest in connection with Telhara P.S. Case No. 50 of 2025, registered for the offence punishable under Sections 30(a)/37 of Bihar Prohibition and Excise Act, 2022.

3. The case of the prosecution, in short, is that on secret information during patrolling, the informant along with other police personnel reached the place of occurrence near a saw machine in village Telhara Beldari. Upon seeing the police, two persons fled away throwing the plastic foil. On search, 10 liters country-made Chulai liquor was recovered in both the plastic foils. The villagers disclosed the name of fled persons as Pawan Kumar and Uday Bind (the petitioner herein).



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. He further submits that the petitioner has been implicated only on the basis of statement made by villagers. The petitioner has not arrested from the spot nor anything has been recovered from the conscious physical possession of the petitioner.

5. Learned A.P.P. for the State opposes the prayer of anticipatory bail.

6. Considering the fact that nothing has been recovered from the conscious physical possession of the petitioner and also the fact that seizure memo is not witnessed by independent witnesses which put a serious question mark over the legality and validity of the seizure itself and also taking into account that the petitioner has two criminal antecedents which has been described in paragraph 3 of the bail application, in both the cases, the petitioner is on bail. Under these circumstances, this Court is inclined to grant privilege of anticipatory bail to the petitioner.

7. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of



Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-IV-cum-Special Judge (Excise), Biharsharif, Nalanda in connection with Telhara P.S. Case No. 50 of 2025, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Alok Kumar Sinha, J)

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