

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30103 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- HISUWA District- Nawada

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1. Vishnu Kumar @ Bishnu Rajbanshi @ Bishun Kumar son of Bhim Rajbanshi Resident of Village- Modi Bigha, P.S.- Hisua, District- Nawada,
 2. Bhim Rajbanshi Son of Rameshwr Rajbanshi @ Karu Rajbanshi Resident of Village- Modi Bigha, P.S.- Hisua, District- Nawada,
 3. Pawan Rajbanshi @ Pawan Kumar son of Bhim Rajbanshi Resident of Village- Modi Bigha, P.S.- Hisua, District- Nawada,

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 19-05-2025 No one appears on behalf of the petitioner though the State is present.

2. The petitioners apprehend their arrest in connection with Hisua P.S. Case No. 103 of 2025 for the offence registered under Sections 30(a) and 30(d) of the Bihar Prohibition and Excise Act lodged on 18.02.2025 by the informant, Rupa Kumari.

3. As per the prosecution story, the informant alleged that upon secret information, the petitioners' places were raided and there is recovery of 200 liters of '*mahua*' mixture and 20 liters of country made '*mahua*'. This led to the FIR.



4. From the petition it seems that nothing has been recovered from their conscious possession and the petitioners have no criminal antecedent.

5. Learned APP opposes the prayer submitting that the recovery/seizure has been made after the secret information.

6. Taking into account the submissions of the learned APP and going through the petition, these petitioners have no criminal antecedent and recovery/seizure is not from their conscious possession, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. 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 Excise, Court-1, Nawada in connection with Hisua P.S. Case No. 103 of 2025 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.

(Rajiv Roy, J)

Adnan/-

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