

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30332 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- MATIHANI District- Begusarai

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Ashok Singh Son of Late Shivnath Singh R/o Village - Matihani, P.S.-
Matihani, Dist.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Kanhiya Kishor, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

- 3 25-06-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner apprehends his arrest in connection
with Matihani P.S. Case no.165 of 2024 registered under Section
30(a) of the Bihar Prohibition and Excise Act, 2016.
3. As per the prosecution case, there is a recovery of
8.250 liters of foreign liquor near the bush situated in front of
the house of co-accused Sujit Kumar.
4. Learned counsel for the petitioner submits that the
petitioner has been falsely implicated in the case. The name of
the petitioner has transpired in this case on the disclosure of
local *chowkidar* who has inimical terms with the petitioner.
There was no independent witness to the seizure list and no
recovery has been made from the physical or conscious



possession of the petitioner. The field is an open space which is accessible to everyone. The petitioner has one criminal antecedent, however he is on bail in the said case. He undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State on the ground that the petitioner has one criminal antecedent of same nature.

6. In view of the facts and circumstances of the case, it is directed that the petitioner, above named, in the event of his arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Matihani P.S. Case no.165 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023 and subject to the further condition that:-

(I) One of the bailors of the petitioner shall be the family member/close relative of the petitioner.

(II) He shall co-operate in the investigation/trial and would make himself available before the Investigating Officer



of the present case on an interval of every 15 days till the submission of the charge-sheet.

(III) The learned Court below would however, verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the Court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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