

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29701 of 2025**

Arising Out of PS. Case No.-1217 Year-2024 Thana- Excise P.S. District- Aurangabad

Nandu Paswan S/o Lakshman Paswan R/o Village- Majhiawa, P.S.- Obra,  
District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mrs. Sakshi Deep, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      19-05-2025                      Heard Mr. Krishan Prasad Singh, learned Senior  
  
counsel for the petitioner duly assisted by Mrs. Sakshi Deep and  
  
the State.

2. The petitioner is apprehending his arrest in connection with Excise P.S. Case No. 1217 of 2024 for the offence under sections 30(a) and 32(3) of the Bihar Prohibition and Excise Act lodged on 08.12.2024 by the informant, Mithilesh Kumar.

3. As per the prosecution story, the informant alleged that two motorcycles were intercepted and there is/are recovery of 25 liters and 5 liters of country made liquor from both of it. This led to the FIR.

4. Learned Senior counsel for the petitioner submits that one of the motorcycle is being owned by the petitioner



which was taken by Srikant Kumar for taking the relative to the hospital but the same has been misused and he has no criminal antecedent.

5. Learned APP opposes the prayer submitting that he owns the motorcycle.

6. Taking into account the submissions of the parties as also that petitioner has no criminal antecedent and nothing has been recovered from his 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 Special Judge, Excise, Second, Aurangabad in connection with Excise P.S. Case No. 1217 of 2024 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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