

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.30848 of 2025**

Arising Out of PS. Case No.-16 Year-2025 Thana- AURAI District- Muzaffarpur

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NAGENDRA RAI Son of Late Mangal Rai Resident of Village - Shahi  
Meenapur, P.S.- Aurai, District - Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Chandra Shekhar Anand, Adv.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

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

ORAL ORDER

2      19-05-2025                      Heard learned Counsel for the petitioner and learned  
APP for the State.

2. The petitioner apprehends his arrest in connection with Aurai P.S. Case No. 16/2025 for the offence registered under sections 30(a) of the Bihar Prohibition and Excise Act, lodged on 16.01.2025 by the informant, Vipin Kumar Singh.

3. As per the prosecution story, the informant alleged that during patrolling duty and on information, the house of the petitioner was raided, one person managed to escape and there is recovery/seizure of 80 litre foreign liquor and 120 litre Nepali liquor from the bathroom. This led to the FIR.

4. Learned Counsel for the petitioner submits that they reside separately, the house is under construction, had no knowledge about the presence of liquor in the under constructed



washroom, has no criminal antecedent either.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

6. Considering the submissions of the parties as also that nothing has been recovered from his conscious possession nor he has criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions. However, if it is found that the petitioner has criminal antecedent, the present order shall become infructuous.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Court No.-II, Muzaffarpur in connection with Aurai P.S. Case No. 16/2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 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 the bail bonds.

**(Rajiv Roy, J)**

Vijay Singh/-

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