

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33794 of 2025

Arising Out of PS. Case No.-139 Year-2025 Thana- NARDIGANJ District- Nawada

Nandu Kumar @ Nand Kishor S/O Bangali Singh Resident Of Village -
Parma, Police Station- Nardiganj, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Ranjan Kumar, Advocate

For the Opposite Party/s : Mr. Madhura Nand Jha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 20-05-2025 Heard Mr. Shashi Ranjan Kumar, learned counsel for

the petitioner and Mr. Madhura Nand Jha, learned APP for the

State.

2. The petitioner is apprehending his arrest in connection with Nardiganj P.S. Case No. 139 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act, 2022, lodged on 28.03.2025 by the informant, Niwas Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the premises of the petitioner was raided and there is recovery/seizure of 1.5 litre foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that it is the case of the petitioner that he has absolutely no criminal



antecedent and the Chaukidar implicated him, nothing has been recovered from his conscious possession.

5. Learned APP opposes the prayer submitting that 1.5 litre recovery has been made.

6. Taking into account the submissions of the parties as also that the petitioner has no criminal antecedent, 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 No.II, Nawada, in connection with Nardiganj P.S. Case No.139 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;

s(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)

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