

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34963 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- NAUBATPUR District- Patna

Raj Kumar @ Pongal Singh S/o Binda Singh @ Vinda Singh R/o Badki Kopa,
P.S.- Naubatpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Samrendra Kumar Jha, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 28-07-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection
with Naubatpur P.S. Case no.164 of 2025 registered under
Section 30(a) of the Bihar Prohibition and Excise Act, 2016.

3. As per F.I.R, there is a recovery of 132 litres of
illicit foreign liquor from the house of accused Raj Kishore.

4. Learned counsel for the petitioner submits that
petitioner is not named in the F.I.R and the cause of his false
implication is only for the reason that he happens to be the
brother of co-accused Raj Kishore. There was no independent
witness to the seizure list and no recovery has been made from
the conscious possession of the petitioner. He further submits
that co-accused Raj Kishore Singh from whose premises
actually recovery has been made has already granted the



privilege of anticipatory bail by a co-ordinate Bench of this Court vide order dated 06.05.2025 passed in Cr. Misc. No. 27323 of 2025 (Annexure-P/2). 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 ten criminal antecedents, out of which two are of similar nature. In response, learned counsel for the petitioner submits that as per the criminal antecedent report, there are ten cases pending against the petitioner out of which the petitioner is on bail in at least nine of the cases.

6. In view of the aforesaid facts 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 Naubatpur P.S. Case no.164 of 2025 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 investigation is concluded against him.

(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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