

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34533 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- NAUTAN District- West Champaran

Bullet Sah S/O Surender Sah Village- Mangalpur, Dhala Chowk, PS- Nautan,
District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mayank Mohan, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 21-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Nautan P.S. Case No. 119 of 2025 for the offence registered under sections 30(a) of Bihar Prohibition and Excise Act, 2016 lodged on 13.03.2025.

3. As per the prosecution story, the Police intercepted a motorcycle and from the bag hanging with it, there is recovery/seizure of 33.42 liter of foreign liquor. This led to the FIR.

4. Learned Counsel for the petitioner submits that the motorcycle is in the name of his brother, Anil Kumar and he has no role to play nor has any criminal antecedent.

5. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail submitting that his brother, Nitish Kumar has named him.

6. Considering the submissions of the parties as also the fact that he has no criminal antecedent, 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-I, Bettiah, West Champaran in connection with Nautan P.S. Case No. 119 of 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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