

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37334 of 2025

Arising Out of PS. Case No.-100 Year-2025 Thana- NARDIGANJ District- Nawada

Prakash Yadav @ Prakash Kumar Yadav S/O Late Ramu Yadav @ Late Ramu Prasad Yadav Resident of Village- Chaurma, P.S.- Nardiganj, District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Man Mohan Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 18-06-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Nardiganj P.S. Case No. 100 of 2025 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 12.03.2025 by the informant, Dharendra Paswan.

3. As per the prosecution story, the informant alleged that upon secret information, the Police reached the place and there is recovery/seizure of 108.225 liters of foreign liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that admittedly, the recovery is from the joint property and he has been implicated only because of criminal antecedent. If granted relief, he shall be diligently appearing in trial.



5. Learned APP opposes the prayer submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also that the recovery/seizure is from the house which is a joint property and an undertaking has been given that he shall be diligently appearing in trial, 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 Court, Excise-2, Nawada in connection with Nardiganj P.S. Case No. 100 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;

(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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