

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39668 of 2025

Arising Out of PS. Case No.-47 Year-2025 Thana- Tetiyabumber District- Munger

Badal Kumar Son of Arun yadav village- Beladih (Madhodih), Ps- Harpur,
Dist- Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan, Advocate

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

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 27-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in connection with Tetiabamber P.S. Case No. 47 of 2025 for the offence under Sections 30(a) and 32 of the Bihar Prohibition and Excise Act.

3. As per allegation, recovery of total 30 litres of country made liquor has been made from a white coloured bag which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that petitioner is quite innocent and has falsely been implicated in the present case, merely on the basis of dirty village politics and it is own creation of police due to personal malice and grudge. From perusal of FIR, it is evident that neither the petitioner has been



apprehended on the spot nor any sort of recovery has been made from his possession. The alleged recovery has been made from the open place and the petitioner has no concern with the alleged recovery. Learned counsel further submits that proper procedure of search and seizure has also not been followed by the police in this case.

5. Learned APP opposes the prayer for bail.

6. Keeping in view the aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the date of receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Judge, Excise-II, Munger, in connection with Tetiabamber P.S. Case No. 47 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C., as also with the following conditions:-

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall co-operate in the trial and shall be present on each and every fixed date till framing of charge and on his absence on two consecutive dates without



sufficient reason, his bail bonds shall be cancelled by the
learned trial Court.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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