

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49182 of 2025

Arising Out of PS. Case No.-360 Year-2024 Thana- SINGHWARA District- Darbhanga

Md. Ismail @ Md. Ismail Nadaf Son of Md. Idrish @ Md. Idrish Nadaf R/O
Vill- Shankarpur, P.S.- Singhwara, District- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-07-2025 Heard Mr.Murari Narain Chaudhary, learned counsel
for the petitioner and Mr.Rajendra Singh, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
22.05.2025 in connection with Singhwara P.S. Case No. 360 of
2024, F.I.R. dated 11.12.2024 registered for the offence
punishable under Section 30(a) of Bihar Prohibition and Excise
Act, 2022.

3. Recovery is of 115.26 liters of foreign liquor.

4. Earlier the petitioner has been granted privilege of
anticipatory bail by this Court vide order dated 21.04.2025
passed in Cr. Misc. No. 17859 of 2025 but the bail bond of the
petitioner has not been accepted by the learned Trial Court on
the ground that the petitioner carries three more cases other than
the present one but in the anticipatory bail petition i.e. Cr. Misc.



No. 17859 of 2025 it has been mentioned that the petitioner has clean antecedent.

5. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that it appears from the FIR as well as the seizure list that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made behind the house of the petitioner and the petitioner has been made accused in the present case merely on the ground of suspicion and except the suspicion, no other cogent material has come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 22.05.2025.

6. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries three more cases other than the present one but he fairly submits the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

7. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount



each to the satisfaction of learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Singhwara P.S. Case No. 360 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, 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, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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