

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59416 of 2025

Arising Out of PS. Case No.-363 Year-2025 Thana- Excise P.S. District- Nawada

=====

Pankaj Yadav @ Pankaj Kumar Son of Ramsvarup Yadav @ Ramshwarup
Yadav Resident of Village - Lohsinghna (Losinghava), P.S.- Rajouli, District -
Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 22-09-2025 Heard, Mr. Man Mohan Kumar, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Nawada Excise P.S. Case No. 363 of 2025 for the offence registered under sections 30(a), 30(c) of the Bihar Prohibition & Excise Act, 2016 lodged on 03.06.2025 by the informant, Sanjay Kumar.

3. As per the prosecution story, the informant alleged that on secret information, the Police raided the place, a furnace was found running and 200 kg Jawa Mahua Mixture at fifteen places kept under the ditch were recovered/seized beside 30 liter Mahua liquor. Upon inquiry, the name of the accused persons including the petitioner came. This led to the FIR.



4. Learned Counsel for the petitioner submits that nothing has been recovered from his conscious possession, only due to enmity and criminal antecedent, has been named, an undertaking has been given that he shall be diligently appearing in trial and the last submission is that without accepting the allegation and/or the outcome of the present case, he intends to contribute Rs. 10,000/- to the District Legal Services Authority, Nawada for the beautification/purchasing of flower pots/purchase of sanitary vending machine whichever is required in the Civil Court Campus of Nawada Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP for the State, Mr. Nitya Nand Tiwary, on the other hand, opposes the prayer for anticipatory bail submitting that he has criminal antecedent.

6. Taking into account the submissions of the parties as also the fact that nothing has been recovered from his conscious possession, an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to grant him the anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Nawada for the



beautification/purchasing of flower pots/purchase of sanitary vending machine whichever is required in the Civil Court Campus of Nawada Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt has to be submitted to the Trial Court by the DLSA, Nawada.

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 Court, Excise-2, Nawada in connection with Nawada Excise P.S. Case No. 363 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 and at the end of the period, the certificate be submitted to the Court;

(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.

8. Let a copy of the order be sent to the learned Principal District and Sessions Judge, Nawada for his/her perusal and needful.

(Rajiv Roy, J)

Vijay Singh/-

U			
---	--	--	--

