

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52406 of 2025

Arising Out of PS. Case No.-406 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

1. Rajeev Kumar Parvat S/o Satyendra Parwat Resident of Village - Siyadi Mathiya, PS- Siwan mufassil, Distt.- Siwan
2. Nitish Kumar Sah S/o Balkhila Sah Resident of Village - Siyadi Mathiya, PS- Siwan mufassil, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gajendra Kumar Singh, Advocate

For the Opposite Party/s : Mr.Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. Petitioners apprehend their arrest in connection with Siwan Muffasil P.S. Case No. 406 of 2025 registered for the offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, on secret information two persons namely Rajeev Kumar Parvat (petitioner no. 1) and Nitish Kumar Sah (petitioner no. 2) were selling illegal liquor. A raid was conducted, and on seeing police party, both persons fled away. On search, total 31 liters of country made liquor was recovered.

4. Learned counsel for the petitioners submit that the petitioners are innocent and have falsely been implicated in the



instant case. Further submission is that they have no concern whatsoever with the seized liquor. It is next submitted that only because the liquor was seized near the house of the petitioner no. 2, the petitioners have been falsely implicated in this case. Petitioners have no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioners above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Siwan Muffasil P.S. Case No. 406 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

(i) One of the bailors of the petitioners shall be their close relative.

(ii) The petitioners shall remain physically present in Court on each date of the trial.



(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the Court concerned.

(iv) If the petitioners are found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of their bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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