

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55141 of 2025

Arising Out of PS. Case No.-193 Year-2025 Thana- Excise P.S. District- Nawada

Nandu Kumar @ Nandu Yadav S/O Rambalak Yadav R/O Village- Mohkama,
P.S.- Rajauli, Dist.- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Kumar Verma, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 08-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends arrest in connection with
Nawada Excise P.S. Case No. 193 of 2025, registered under
Sections 30(a) and 30(c) of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that 78 liters of
country made liquor has been recovered from jute sack near the
bank of a river.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Learned counsel for the petitioner also submits that
the petitioner was not present at the place of occurrence. It is
next submitted that the alleged recovery has been made from an



open place and the same is easily accessible to the public at large. The petitioner has got four criminal antecedent in which he is on bail. Learned counsel for the petitioner further submits that similarly situated co-accused has been granted regular bail by this Court vide order dated 29.04.2025 passed in Cr. Misc. No. 26678 of 2025.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner and there is also four criminal antecedents of the petitioner. Hence, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, this Court is not inclined to grant anticipatory bail to the petitioner.

7. The prayer is rejected. However, the petitioner is directed to surrender in the Court below and pray for regular bail. If any such application is filed, the Court below shall consider and dispose of the same on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Rajorshi/-

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