

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61334 of 2025**

Arising Out of PS. Case No.-380 Year-2025 Thana- NOORSARAI District- Nalanda

Niraj Kumar S/o- Ramashray Tanti Village-Rasalpur,P.S-Noorsarai, District-Nalanda, Bihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Deepak Kumar, Advocate

For the Opposite Party/s : Mrs.Asha Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**

ORAL ORDER

2      23-09-2025                      Heard the parties.

2. The petitioner is apprehending arrest in connection with Noorsarai P.S. Case No. 380 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 03.07.2025 by the informant, Omprakash Rai.

3. As per the prosecution story, the Police upon secret information raided two houses, one of Guddu Kumar and other of the petitioner and there is recovery/seizure of 28.75 liters of country made liquor and 58.5 liters of country made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that the recovery/seizure is from a house which is joint property. He has no criminal antecedent and only due to local enmity, implicated.

5. Learned APP opposes the prayer.



6. Considering the aforesaid submissions of the parties as also that the petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each in connection with Noorsarai P.S. Case No. 380 of 2025 to the satisfaction of learned Special Judge, Excise-II, Nalanda, Bihar subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her 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 his attendance;



(iii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;

(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 his bail bonds.

**(Rajiv Roy, J)**

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