

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58062 of 2025

Arising Out of PS. Case No.-2 Year-2025 Thana- EXCISE PATORI District- Samastipur

Nand Kumar Singh @ Anandi Singh S/o Lakhan Singh, R/o Ward no. 13,
Kalyanganj, Kalyanganja, Bangraha, Kancha, PS - Vidyapatinagar,
Samastipur Bihar.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Keshav Bhardwaj, Advocate.
Mr. Yash Sahay, Advocate.
For the Opposite Party/s : Mr. Nityanand, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection
with Patori Excise P.S. Case No.02 of 2025 instituted under
Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
215.28 liter illicit foreign liquor from the old house of the
petitioner.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case being the owner of the house. He further submits that the
petitioner was not present on the spot and no incriminating
article has been recovered from his conscious possession.



Learned counsel submits that the house of petitioner from where recovery has been made is in a dilapidated state and taking advantage of same, some antisocial elements might have been using it for storing the illicit liquor. He further submits that similarly situated co-accused person has been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 06.03.2025 passed in Cr. Misc. No.8076 of 2025. Learned counsel submits that petitioner has three criminal antecedents, in which he is on bail and he undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the concerned Court within six weeks from today, the petitioner be released on bail upon furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Samastipur in connection with Patori Excise P.S. Case No.02 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with further



following conditions:-

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court itself;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;

(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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