

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59909 of 2025

Arising Out of PS. Case No.-238 Year-2025 Thana- SIRDALA District- Nawada

Ajay Kumar, S/o- Prayag Yadav @ Prayar Prasad, Village- Pandeydih, P.S. -
Sirdalla, Dist- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Deepak Kumar, Advocate
For the State	:	Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Sirdalla PS. Case No.238 of 2025, dated-22.06.2025, registered for the offences punishable under Sections 30(a) and 41 of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 150 liter and 110 liter of illicit liquor has been recovered from two motorcycles. As per further case of the prosecution, two persons were seen to be loading the contraband on the motorcycles and started fleeing away and one of them was the Petitioner herein.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the whole case against the Petitioner is based on suspicion and there is no cogent material against the him which could connect the him to the alleged offence. He also submits that the Petitioner is not the owner of the motorcycles seized in this case. He also submits that no *prima facie* case is made out against the petitioner his anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has been made accused in two other cases in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the



satisfaction of learned concerned Court below, in connection with Sirdalla PS. Case No.238 of 2025, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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