

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63923 of 2025

Arising Out of PS. Case No.-137 Year-2025 Thana- ROH District- Nawada

Sonu Kumar S/o Late Uma Ram R/o Village- Kateja Siur, P.S.- Roh, District-
Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hansraj, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard Mr. Hansraj, learned counsel for the petitioner
and the Mr. Jitendra Kumar Singh, learned counsel for the State.

2. The petitioner is apprehending arrest in connection
with Roh P.S. Case No. 137 of 2025 instituted under Sections
30(a) and 41 of the Bihar Prohibition and Excise Act, 2016
lodged on 28.04.2025 by the informant, Santosh Kumar.

3. As per the prosecution story, the Police two
motorcycle and there is recovery/seizure of 50 liters of country
made liquor. Three persons namely Nawlesh Kumar, Jugal Ram
and Rohan Kumar were apprehended whine the name of this
petitioner cropped up through local enquiry. This led to the FIR.

4. Learned counsel for the petitioner submits that
none of the two motorcycles belong to him nor he has criminal
antecedent, only because of enmity, he has been dragged.



5. Learned APP opposes the prayer submitting that his name has cropped up.

6. Considering the submissions of the parties as also that the petitioner has no criminal antecedent nor the vehicle belong to him, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. 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 Roh P.S. Case No. 137 of 2025 to the satisfaction of learned Exclusive Special Judge, Excise Court No.2, Nawada 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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