

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61255 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- BARHAT District- Jamui

Nitish Kumar Son of Nageshwar Yadav R/O village - Mogal Chapari
(Aghara), P.S.- Sono, District - Jamui.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Nayan, Advocate

For the Opposite Party/s : Mr. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 23-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Barhat P.S. Case No. 14 of 2025 for the offence registered under section 30(a) of the Bihar Prohibition and Excise Act lodged on 26.01.2025 by the informant, Dhananjay Kumar.

3. As per the prosecution story, the police intercepted the motorcycle and there is recovery/seizure of 50 litres of country made liquor, this led to the FIR.

4. Learned Counsel for the petitioner submits that his motorcycle was stolen while he was away in Mumbai but the FIR could not be lodged, he has no criminal antecedent and if granted relief, he shall be diligently appearing in trial.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail submitting that motorcycle belongs to him.



6. Considering the submissions of the parties as also the fact that the petitioner has no criminal antecedent, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Excise Court-I, Jamui in connection with Barhat P.S. Case No. 14 of 2025, subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *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 attendance;



(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 the bail bonds.

(Rajiv Roy, J)

Raj Ranjan/-

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