

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63835 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- DALMIYA NAGAR SAHAYAK District-
Rohtas

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Lalan Singh S/o Indremani Singh R/o - Garwat Bigha, P.S - Gangauli (Dehri),
District - Rohtas (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Adv.
For the Opposite Party/s : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Dalmiya Nagar P.S. Case No. 74/25 for the offence
registered under sections 30(a) of Bihar Prohibition & Excise
Amendment Act, 2018 lodged on 08.04.2025 by the informant,
Prince Kumar Mishra.

3. As per the prosecution story, the informant alleged
that on secret information, the area near Shiv Temple was raided
and there is recovery/seizure of 10 liter country made *mahua*,
the locals gave the name of the petitioner. This led to the FIR.

4. Learned Counsel for the petitioner submits that he
has absolutely no criminal antecedent nor anything has been



recovered from his conscious possession, rather from an open place.

5. Learned APP for the State, on the other hand, opposes the prayer for anticipatory bail.

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

7. However, if 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 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 Court of Exclusive Special Judge Court No. 1, Rohtas at Sasaram in connection with Dalmiya Nagar P.S. Case No. 74/25 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 and at the end of the period, the certificate be submitted to the Court;

(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)

Vijay Singh/-

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