

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63734 of 2025

Arising Out of PS. Case No.-372 Year-2025 Thana- RAHUI District- Nalanda

Sandip Kumar Sinha S/o Late Navin Kumar Sinha R/o Village - Giridih
Nagar, P.S - Giridih, District - Giridih (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinay Kumar, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Rahui (Bhagan Bigha) P.S. Case No. 372 of 2025 for the offence under Sections 30(a) of the Bihar Prohibition and Excise Act lodged on 28.06.2025 by the informant, Shailesh Kumar Jha.

3. As per the prosecution story, the Police intercepted a pick-up van and there is recovery/seizure of 1440 liters of beer. The driver Raja Sharma was apprehended and he gave the name of 3-4 accused where the beer was to be delivered, petitioner included. This led to the FIR.

4. Learned counsel for the petitioner submits that a perusal of the FIR would show that recovery is from a pick-up van which does not belongs to him, person apprehended is Raja



Sharma and only because, he named the petitioner, got implicated, and he has no criminal antecedent. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 15,000/- to the District Legal Services Authority, Nalanda for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Nalanda Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that the petitioner arrested has named him.

6. Taking into account the submissions of the parties as also that the vehicle does not belong to him and he do not have any criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 15,000/- to the District Legal Services Authority, Nalanda for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Nalanda Judgeship through Demand Draft issued by the local branch of the State Bank of India and the



receipt of the expenditure shall be submitted to the trial Court by the DLSA, Nalanda.

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 arrest or surrender 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 like amount each to the satisfaction of learned Special Judge Excise II, Bihar Sharif, Nalanda in connection with Rahui (Bhagan Bigha) P.S. Case No. 372 of 2025 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(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;

(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.

9. A copy of the order be sent to the Principal District and Sessions Judge, Nalanda for his/her perusal and needful.

(Rajiv Roy, J)

Adnan/-

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