

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67469 of 2025

Arising Out of PS. Case No.-172 Year-2025 Thana- NOWKOTHI GARHPURA District-
Begusarai

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1. Gaurav Kumar Son of Sudhir Singh R/o Village - Chhatauna, P.S. - Naokothi, District - Begusarai.
 2. Dhiraj Mishra @ Dhiraj Kumar Mishra Son of Ramnand Mishra R/o Village - Chhatauna, P.S. - Naokothi, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nakul Kumar Jamuar, Advocate
For the State : Ms. Renu Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Nawkothe P.S. Case No. 172 of 2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 703.125 litre of illicit liquor has been recovered from the toilet tank situated at public place and as per further case of the police, the petitioners and other co-accused had concealed the contraband at the place of recovery.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that nothing has been recovered from the possession of the petitioner and there is no material on record to connect the petitioner with the alleged offence. Hence, no prima facie case is made out against him and the anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have 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 petitioners have no criminal antecedents.

7. 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 petitioners above-named, to be enlarged on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Nawkothi P.S. Case No. 172 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 petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their 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 petitioners.

(Jitendra Kumar, J)

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