

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66705 of 2025

Arising Out of PS. Case No.-91 Year-2025 Thana- NATIONAL HIGHWAY District-
Samastipur

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Sri Rajiv Kumar Singh @ Chhotu Singh @ Rajiv Singh @ Chhotu Son of Sri
Awadhesh Singh @ Avdhesh Singh @ Avadhesh Kumar Singh R/O Vill.-
Karpurigram Shambhupatti, P.S.- Mufassil, District - Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
N.H. Bangra P.S. Case No. 91 of 2025 dated 08.08.2025,
instituted for the offence punishable under Sections 318(4), 338,
336(3), 340(2) of the Bharatiya Nyaya Sanhita, 2023 and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 4940.2 litres illicit
liquor from a truck bearing Registration No. BR-02-GA-3668.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that petitioner was not arrested on
the spot. It is next submitted that co-accused Shatrughan Paswan



was arrested on the spot with illicit liquor, who disclosed the name of four persons including the petitioner and only on that basis, the petitioner has been made accused in this case. Learned counsel further submitted that petitioner has no concern with the said seized truck. The seized truck does not belong to the petitioner. Lastly, it has been submitted that petitioner has four criminal cases against him.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with N.H. Bangra P.S. Case No. 91 of 2025, he shall be released on anticipatory bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise-I, Samastipur, subject to condition as laid down under Section 482(2) of the B.N.S.S as also to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient



reason, his bail bond shall be cancelled by the Court below.

2. One of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife.

3. The bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse.

4. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

5. The petitioner within two weeks of his release from custody shall appear before the S.H.O. of his local area alongwith a copy of this order and shall appear every fortnightly to mark his attendance till the framing of charge in this case.

(Khatim Reza, J)

Sankalp/-

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