

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67453 of 2025

Arising Out of PS. Case No.-331 Year-2025 Thana- NAWADA MUFFASIL District- Nawada

Sagar Kumar Son of Subodh Kumar Resident of Village- Utar Bazar, Ward
No.13, Warsaliganj, P.S.- Warsaliganj and District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nilendu Kumar Choudhary, Advocate
For the State	:	Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

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

2. The petitioner seeks bail, apprehending his arrest, in connection with Nawada Muffasil P.S. Case No. 331 of 2025, dated 31.07.2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, 201 litre of illicit liquor has been recovered from a car and the persons who were arrested on the spot along with the contraband and in their confessional statements, they stated that they were going to supply the seized contraband to the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this



case. He further submits that the case of the prosecution against the petitioner is based only on confessional statements of co-accused, who were apprehended at the place of recovery and such statements have no evidentiary value and besides this confessional statement, there is nothing on record to connect the petitioner with the alleged offence. He further submits that nothing has been recovered from the possession of the petitioner and 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 petitioner has 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 bail petition that the petitioner has two criminal antecedents.

7. However, 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 petitioner, above-named, to be enlarged on bail, in the event of his 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 his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Nawada Muffasil P.S. Case No. 331 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 petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his 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 petitioner.

(Jitendra Kumar, J)

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