

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70741 of 2025

Arising Out of PS. Case No.-175 Year-2025 Thana- BIHRA District- Saharsa

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Pawan Singh @ Pawan Kumar Singh @ Pawan Kumar Sih S/O Rana Singh
@ Rana Pratap Singh R/O Vill.- Patori Ward no. 13, P.S.- Bihra, Dist.-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarnath Jha, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-10-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Bihra P.S. Case No. 175 of 2025 for the offence registered under sections 30(a) of the Bihar Prohibition and Excise Act lodged on 15.07.2025 by the informant, Babar Ali.

3. As per the prosecution story, the police on secret information raided the place near the house of the petitioner and though the accused managed to escape, 30 litres of Codeine Cough Syrup recovered/seized from the husk house of the petitioner, this led to the FIR.

4. It is the case of the petitioner that he do not have criminal antecedent, nothing has been recovered from his conscious possession, recovery is from a husk house which is open to everyone.

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 nothing has been recovered from his conscious possession, nor he has 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 Exclusive Special Judge, Excise-II, Saharsa in connection with Bihra P.S. Case No. 175 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor of the petitioner(s) should be the family members/relatives/distant relatives of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner(s) 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(s) 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(s) 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(s) 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)

Raj Ranjan/-

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