

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70714 of 2025

Arising Out of PS. Case No.-388 Year-2025 Thana- NAUTAN District- West Champaran

RAJESH SAH Son of Harihar Sah @ Hari Sah R/o Village - Utari Telua,
Ward No.- 3, P.S.- Nautan, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gyan Prakash, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 14-10-2025 Heard Mr. Gyan Prakash, learned counsel for the
petitioner and the State.

2. The petitioner is apprehending arrest in connection with Nautan P.S. Case No. 388 of 2025 instituted under Section 30(a) of the Bihar Prohibition and Excise Act lodged on 04.08.2025 by the informant, Santosh Kumar Singh.

3. As per the prosecution story, the informant alleged that on secret information about sell of liquor, the place was raided and there is recovery/seizure of 1.200 liters of country made liquor. The local Chowkidar gave the name of the petitioner which led to the FIR.

4. Learned counsel for the petitioner submits that nothing has been recovered from his conscious possession nor he has criminal antecedent but only due to enmity, the



Chowkidar named him.

5. Learned APP opposes the prayer.

6. Considering the submissions of the parties as also that the petitioner do not have criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail.

7. Let the petitioner be released on bail, in the event of his arrest or surrender before the subordinate court 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 the like amount each in connection with Nautan P.S. Case No. 388 of 2025 to the satisfaction of learned Exclusive Special Judge, Excise Court-I, Bettiah, West Champaran subject to the conditions as laid down under Section 438(2) of the Cr.P.C. as also the other conditions.

(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 co-operate in the investigation and make himself available to the police as and when required;

(v) 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;

(vi) 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.

(Rajiv Roy, J)

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