

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37688 of 2026

Arising Out of PS. Case No.-56 Year-2026 Thana- THALI District- Nawada

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Santosh Kumar S/o Sadhu Yadav @ Sadhu Prasad Yadav R/o Village - Olipur,
PS - Narhat, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sheo Kumar Prasad, Adv.

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 01-07-2026 Heard Mr. Sheo Kumar Prasad, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Thali P.S. Case No. 56 of 2026 for the offence registered under sections 317(4), 111(4) of the BNS and 30(a), 41(1) of the Excise Act.

3. As per the prosecution story, the Police intercepted a motorcycle and there is recovery/seizure of 32.25 liter foreign liquor. This led to the FIR.

4. Learned Counsel for the petitioner submits that neither he is the owner of the vehicle nor he was driving the same but only due to suspicion, his name has been cropped up. Further, he do not have criminal antecedent.

5. Learned APP for the State, on the other hand,



opposes the prayer for anticipatory bail submitting that his name has come which form the basis for FIR.

6. Taking into account the submissions aforesaid as also that he do not have criminal antecedent nor he owns the motorcycle, in that background, this Court is inclined to grant him the anticipatory bail with conditions.

7. 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 Court Excise-I, Nawada in connection with Thali P.S. Case No. 56 of 2026 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document (Aadhar Card, PAN Card, Driving License, Voter ID) to show his *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 attendance and at the end of the period, the certificate be submitted to the Court;

(iv) 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;

(v) the petitioner 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)

Vijay Singh/-

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