

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7014 of 2025

Arising Out of PS. Case No.-250 Year-2024 Thana- BELA District- Sitamarhi

Shakil Ansari S/O Khodadin Ansari R/O Village - Sirsiya, P.S- Bela, Dist.-
Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-02-2025 Heard Mr.Hans Lal Kumar, learned counsel for the
petitioner and Mr.Anil Kumar, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
21.12.2024 in connection with Bela P.S. Case No. 250 of 2024,
F.I.R. dated 20.11.2024 registered for the offence punishable
under Section 30(a) of Bihar Prohibition and Excise Act.

3. Recovery is of 540 liters of illicit liquor.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. It appears from the FIR as well as the seizure list
that nothing has been recovered from conscious possession of
the petitioner rather the recovery has been made from Scorpio
in question and local Chaukidar has disclosed the name of the
petitioner and except the aforesaid, no other cogent material has



come during investigation against the petitioner to suggest the involvement of the petitioner in the present occurrence. Further submits that co-accused persons, namely, Santosh Sah against whom the similar allegation and Rajesh Kumar @ Rajeev Sah have been granted privilege of anticipatory bail by this Court vide orders dated 08.01.2025 and 17.01.2025 passed in Cr. Misc. Nos.88285 of 2024, and 1793 of 2025 respectively and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 21.12.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that 540 liters of illicit liquor was recovered and apart from that, the petitioner carries three more cases other than the present one but he fairly submits that the petitioner is on bail in all the cases, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise, Court No.1, Sitamarhi in connection with Bela P.S. Case No. 250 of 2024, with the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be



properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) 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.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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