

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9699 of 2025

Arising Out of PS. Case No.-856 Year-2024 Thana- FATUA District- Patna

Sanjeev Kumar @ Modi S/o Late Dhananjay Singh @ Dhananjay Prasad R/o
Village-Dumri, P.S. -Fatuha, District -Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Vijay Anand, Advocate
For the State : Mr. Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 06-03-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Fatuha P.S. Case No. 856 of 2024, dated
30.11.2024 registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 30 liters of *mahua* liquor has
been recovered from the bank of Dumri water reserve and the
petitioner was seen to be fleeing away from the place as per
hearsay.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that nothing has been recovered from
the conscious possession of the petitioner. He also submits that



there is also no cogent evidence against the petitioner which could connect the petitioner with the alleged offence. He further submits that the petitioner was not present on the place of occurrence.

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 no 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 Special Judge, Excise, Patna City, in connection with Fatuha P.S. Case No. 856 of 2024, subject to the conditions as laid down under Section 438 (2) Cr.PC 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, 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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