

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9368 of 2025

Arising Out of PS. Case No.-582 Year-2024 Thana- RAMNAGAR District- West Champaran

Kundan Sah, Son of Late Chandrika Sah, Resident of Village- Madhubani,
Police Station- Ram Nagar, District -West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

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

2. The petitioner apprehends arrest in connection with
Ram Nagar P.S. Case No. 582 of 2024 dated 19.12.2024
instituted for the offence punishable under Sections 30(a) of the
Bihar Prohibition and Excise Act.

3. The allegation is of recovery of total 31 litres
country made liquor from the field of Immamudeen Miyan, as
per the seizure list.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in this
case. It is further submitted that nothing has been recovered
either from the conscious possession of the petitioner or from
his house rather the said liquor has been recovered from the



field of Immamudeen Miyan. The petitioner has no concern with the said liquor. Lastly, it has been submitted that petitioner has three criminal cases against him out of which, one is of the similar nature.

5. On the other hand, learned A.P.P. for the State has opposed the prayer for anticipatory bail of the petitioner.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Ram Nagar P.S. Case No. 582 of 2024, he will be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise, Bagaha, West Champaran subject to condition as laid down under Section 438(2) of the Cr.P.C as well as 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

II. One of the bailors will be his own blood



relation, preferably father, mother, brother, sister
and or his wife.

III. The bailor shall also state on affidavit that he
will inform the court concerned if the petitioner is
made accused in any other case of similar nature
after his release in the present case and thereafter
the court below will be at liberty to initiate the
proceeding for cancellation of bail on ground of
misuse.

IV. 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.

(Khatim Reza, J)

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