

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18889 of 2025

Arising Out of PS. Case No.-186 Year-2024 Thana- VISHAMBHARPUR District- Gopalganj

Niraj Kumar Gond Son of Balistar Sah Resident of village- Bhartiya, Ps-
vishambharpur, Wrongly Mentioned in the Fir Village- Vijaypur, Ps-
Vishambharpur, Dist- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Naresh Prasad, Advocate
For the Opposite Party/s : Mr. Kanhiya Kishor, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 28-03-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Vishambharpur P.S. Case No. 186 of 2024 instituted for the
offences punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The prosecution case, in short, is that total 102 litres
of country-made liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case only due to suspicion. No incriminating article has



been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 27.12.2024 and has two criminal antecedents. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Vishambharpur P.S. Case No. 186 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

(Rudra Prakash Mishra, J)

Alok Verma/-

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