

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31622 of 2025

Arising Out of PS. Case No.-546 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Kundan Kumar, S/o- Ram Pravesh Tanti, R/o Village- Panhas, PS- Town
(Lohiya Nagar OP) Dist.- Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner	:	Mr. Braj Bhusan Poddar, Advocate
For the State	:	Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Begusarai Muffasil P.S. Case No. 546 of
2022, dated.17.10.2022 registered for the offences punishable
under Sections 272, 273, 120(B) of the Indian Penal Code and
Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 1062 litres of illicit liquor has
been recovered from one pick van. On information that illicit
liquor is being transported by a pick up van, police reached the
place of occurrence. However, seeing the police, the accused
persons present in the vehicle fled away, leaving behind the van,
which was seized and searched and the contraband was



recovered.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner is neither owner nor driver of the pick up van and he was also not present on the place of occurrence. He also submits that his name has transpired only on the basis of suspicion.

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 concerned Court Below, in connection



with Begusarai Muffasil P.S. Case No. 546 of 2022, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 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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