

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26316 of 2025

Arising Out of PS. Case No.-158 Year-2023 Thana- GANGABRIDGE District- Vaishali

Bandhan Kumar @ Krishna Kumar S/o Umesh Singh R/o vill - Sahdullahpur,
P.S.- Ganga Bridge, Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar, Advocate

For the Opposite Party/s : Mrs.Rina Sinha, APP

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

ORAL ORDER

2 25-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Ganga Bridge P.S. case
No. 158 of 2023 instituted for the offences under Section 30(a)
of the Bihar Prohibition and Excise Act. Earlier the anticipatory
bail application of the petitioner was rejected by this Bench vide
order dated 27.09.2024 passed in Cr. Misc. No. 70401 of 2024.

3. The prosecution case, in short, is that 1251.225
liters liquor was recovered from pick up vehicle.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered
from the conscious possession of the petitioner. The petitioner



has got no concern with the alleged recovery of liquor. It is further submitted that the petitioner was neither owner nor driver of the vehicle in question. The petitioner is not involved in sale and purchase of illegal liquor. The petitioner has surrendered in the Court below. The petitioner is in custody since 25.01.2025 and has got 12 criminal antecedents. There is no compliance of Section 103 of B.N.S.S., 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submits that the petitioner has 12 antecedents and therefore, he may not be released on bail.

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, ***after framing of charge, if not already framed***, 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 Ganga Bridge P.S. case No. 158 of 2023, 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) The petitioner will not hamper the trial or temper with any prosecution evidence. If he is found involved in such incidence, the prosecution shall have liberty to take steps for cancellation of bail granted to the petitioner.

(Rudra Prakash Mishra, J)

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