

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22295 of 2025**

Arising Out of PS. Case No.-287 Year-2022 Thana- BARHIYA District- Lakhisarai

Sagar Karmali S/o Late Hakindra Karmali R/o of Village- Nawadih Soso,  
P.S.- Sikindri, District- Ranchi (Jharkhand)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

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

For the Opposite Party/s : Mr. Parmanand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      25-04-2025                      Heard Mr. Sanjeev Kumar, learned counsel for the  
petitioner and Mr. Parmanand Prasad, learned APP for the State.

2. Petitioner seeks bail, who is in custody since  
17.02.2025, in connection with Barahiya P.S. Case No. 287 of  
2022, F.I.R. dated 31.12.2022 registered for the offences  
punishable under Section 30(a) of the Bihar Prohibition &  
Excise Act.

3. Recovery is of 90 litres of *foreign* wine.

4. Learned counsel for the petitioner submits that the  
petitioner has clean antecedent and he has been falsely  
implicated in the present case. He further submits that as per  
allegation in the F.I.R. altogether 90 litres of foreign liquor was  
recovered from the vehicle in question and co-accused persons  
namely Deepak Kumar and Shivam Kumar @ Tilauri were



arrested along with the illicit liquor and the vehicle and petitioner has been implicated in the present case merely on the ground that he is the owner of the vehicle in question. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.02.2025.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and nothing has been recovered from the conscious possession of the petitioner and he has been made accused merely on the ground that he is the owner of the vehicle in question, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge IV-cum-Exclusive Special Excise Court-I, Lakhisarai in connection with Barahiya P.S. Case No. 287 of 2022, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court



and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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