

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28066 of 2025

Arising Out of PS. Case No.-95 Year-2024 Thana- BALRAMPUR District- Katihar

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Veeru Kumar Sahu @ Veer Kumar Sah @ Veeru Kumar @ Veer Kumar Saha
@ Veeru Kumar Sah S/O Late Arun Sah @ Late Arun Kumar Sah Resident of
Village- Alipur (Sitalpur), Police Station- Barsoi, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mrs. Meena Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 20-05-2025 Heard learned Counsel for the petitioners and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Balrampur P.S. Case No. 95 of 2024 registered for the
offences under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The prosecution story is to the effect that the S.I
of Balrampur police station recorded his self statement and
alleged that during patrolling two persons were seen coming
on a motorcycle from Bengal and when they were chased
they tried to flee away and one person was apprehended on
the spot, who disclosed his name as Uttam Kumar Mandal.



During search 84.852 litres of foreign liquor was recovered from the two plastic sacks loaded on the motorcycle. The said Uttam Kumar Mandal had disclosed the name of the other person as Veeru Kumar (petitioner).

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and his name has surfaced in the case due to confessional statement of the apprehended co-accused, who has stated that he along with the petitioner used to trade foreign liquor from Bengal to Bihar. He further submitted that barring the said confessional statement no recovery has been made from the conscious possession of the petitioner and the charge-sheet has already been submitted. It has lastly been submitted that though the petitioner carries three criminal antecedents, he is in custody in the present case since 08.10.2024 and also the apprehended co-accused namely Uttam Kumar Mandal has been granted bail by a co-ordinate Bench of this Hon'ble Court vide order dated 08.04.2025 passed in Cr. Misc. No. 17996 of 2025.

5. Learned counsel for the State has vehemently opposed the prayer for bail of the petitioner and has stated



that the petitioner carries three criminal antecedents and he has been named by the apprehended co-accused.

6. Considering the aforesaid facts and circumstances of the case that there was no recovery from the conscious possession of the petitioner and the person apprehended had already been enlarged on bail by a co-ordinate Bench of this Court, let the petitioner, above named, in the event be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge Excise Court No. 1, Katihar, in connection with Balrampur P.S. Case. No. 95 of 2024, subject to the conditions that

a. One of the bailors of the petitioner shall be his/her close relative.

b. The petitioner shall remain physically present in Court on each date of trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

d. 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 antecedent, the court below shall take step for cancellation of bail bonds 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.

(Sourendra Pandey, J)

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