

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.25221 of 2025**

Arising Out of PS. Case No.-194 Year-2024 Thana- YADOPUR District- Gopalganj

Dilip Sah S/o Raj Kumar Sah R/o Village- Sihorwa, Bishunpur, P.S.- Jadopur,  
District Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Javed Aslam, Advocate

For the Opposite Party/s : Mr. Jitendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

2      07-05-2025                      Heard Mr. Javed Aslam, learned counsel for the  
  
petitioner and Mr. Jitendra Kumar Singh, learned APP.

2. The petitioner is apprehending his arrest in connection with Jadopur P.S. Case No. 194 of 2024 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 25.11.2024 by the informant, Rajnish Kumar.

3. As per the prosecution story, the informant alleged that during patrolling, one motorcycle was intercepted, Kamlesh Kumar was riding it and there is recovery/seizure of 81 liters of Banti Babli country made liquor. He gave the other names, petitioner being one of them. This led to the FIR.



4. Learned counsel for the petitioner submits that recovery/seizure is from Kamlesh Kumar and not from his conscious possession, even the motorcycle does not belong to him and he has no criminal antecedent. The last submission is that without accepting the allegation and/or the outcome of the present case, the petitioner intends to contribute Rs. 15,000/- for the purchase of chairs in the District Consumer Forum, Gopalganj through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer submitting that the accused has named him.

6. Taking into account the submissions of the parties as also that recovery/seizure is not from this petitioner, he has no criminal antecedent and the motorcycle does not belong to him, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 15,000/- for the purchase of chairs in the District Consumer Forum, Gopalganj through Demand Draft issued by the local branch of the State Bank of India addressed to the Chairman District Consumer Forum, Gopalganj.



7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District & Sessions Judge-XIII-cum-Spl. Excise Court No. 1, Gopalganj in connection with Jadopur P.S. Case No. 194 of 2024 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the



evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

Adnan/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

