

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25927 of 2025

Arising Out of PS. Case No.-48 Year-2025 Thana- JOKIHAT District- Araria

Sanjeev Kumar Son of Laldev Ray Resident of Village - Malpur Agrail, Ward
No.- 10, P.S.- Sakra, District – Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Bandan Singh, Adv

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 22-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Jokihat P.S. Case No. 48 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition & Excise Act.

3. As per the prosecution case, total 2275 litres of illicit foreign liquor was recovered from the DCM Truck.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that the petitioner is not the owner of the said seized vehicle but the same was being driven by him at the time of the alleged recovery. It is next submitted that the petitioner has no concern with the alleged recovery and



no incriminating article has been recovered from his conscious physical possession. It is next submitted that the petitioner is merely a scapegoat, as such a huge consignment of liquor could not solely be attributed towards him. From perusal of the FIR, it is evident that the liquor mafia were involved in the said case and even the registration number of the said truck was also changed. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 12.02.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that a huge consignment of liquor has been recovered from the said truck which was being driven by the petitioner, which shows his active involvement in the trading of illicit liquor.

6. Considering the aforesaid submissions of the parties and taking into account the fact that the quantity of seizure made from the said truck of which the petitioner was merely a driver and no incriminating article has been recovered from his conscious physical possession and also considering the period of custody, let the petitioner above-named, be enlarged on bail, on deposition of a sum of Rs. 10,000/- to the Patna High Court Legal Services Committee, Patna, and an acknowledgment receipt be submitted before the learned Court



below prior to the furnishing of bail-bond and thereafter on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Araria, in connection with Jokihat P.S. Case No. 48 of 2025, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned 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 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.

7. Accordingly, the application stands allowed.

(Sourendra Pandey, J)

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