

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25886 of 2025

Arising Out of PS. Case No.-361 Year-2023 Thana- SAHPUR District- Bhojpur

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Ram Sagar Yadav son of Tallu Yadav Village -ishwarpura PS -Shahpur Distt
-Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Hemant Kumar, Advocate
For the State : Ms. Rita Verma, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Shahpur P.S. Case No. 361 of 2023, dated
07.08.2023 registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 216 litre of illicit liquor has been
recovered from Alto car and as per further allegation, after
seeing the police, the person who was driving the alto car and
one motorcyclist started fleeing away. However, no recovery has
been made from the motorcycle.

4. Learned counsel for the petitioner submits that the
Petitioner is innocent and has falsely been implicated in this
case. He further submits that there is no allegation that any



contraband has been recovered from the motorcycle or from the personal possession of the petitioner. He further submits that the petitioner is no way connected with the alleged offence.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. In view of the fact that there is no recovery from the motorcycle or from the personal possession of the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Shahpur P.S. Case No. 361 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:



(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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