

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29155 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- SAHPUR District- Bhojpur

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1. Om Prakash @ Chotak Singh @ Om Prakash Singh S/o Ram Lal Singh R/o vill - Sarana, P.S.- Sahpur, Distt.- Bhojpur
 2. Deepak Kumar Singh S/o Brahma Shankar Singh R/o vill - Sarana, P.S.- Sahpur, Distt.- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the State : Dr. Indihar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The present petition has been filed on behalf of the petitioners, apprehending their arrest, in connection with Shahpur P.S. Case No.-57 of 2025 dated 12.03.2025, registered for the offences punishable under Sections 30(a) of the Bihar Prohibition and Excise Act, 2022.

3. As per allegation, total 34.640 litre of illicit liquor has been recovered from the bank of river situated near the garden of Sarana village, District, Bhojpur.

4. Learned counsel for the petitioners submits that the Petitioners are innocent and have falsely been implicated in this



case. He further submits that the petitioners have nothing to do with the alleged offence and they have been implicated only on the basis of suspicion. He further submits that the recovery has been made from an open space which is accessible to the public at large.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioners have 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 petition that the petitioners have no criminal antecedents.

7. Learned APP for the State vehemently opposes the prayer of the Petitioners for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioners above-named, to be enlarged on bail, in the event of their 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 their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Shahpur P.S. Case No. 57 of 2025, 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 petitioners have any criminal antecedents, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their 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 petitioners.

(Jitendra Kumar, J)

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