

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32555 of 2025

Arising Out of PS. Case No.-213 Year-2024 Thana- SRIPUR District- Gopalganj

HARI SHANKAR S/o Raghunath Resident of vill- House No 71, Block B.H.,
Police Station- Shalimar Bagh, District- North West Delhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Ranjan Kumar, Advocate
Mr. Aman Ashesh, Advocate
Mr. Rahul Kr. Dubey, Adv
For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner makes a prayer for bail in connection
with Sripur P.S Case No.213 of 2024 registered for offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The First Information Report and the seizure list
would indicate that there is a total recovery of 337.500 litres of
foreign liquor from a Tata Magic vehicle and the petitioner is
said to be the driver of the alleged vehicle.

4. Learned counsel for the petitioner submits that



nothing has been recovered from the physical and conscious possession of the petitioner and he was merely the driver of the said seized vehicle and neither the vehicle nor the seized liquor belongs to the petitioner. Further, there is no independent witness to the seizure list and hence, the mandatory provisions of search and seizure have not been complied with. The petitioner has no criminal antecedent and the he is in custody since 17.11.2024.

5. Learned APP for the State opposes the prayer for bail application.

6. In view of the facts and circumstances, the petitioner is enlarged 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 Addl. Sessions Judge-XIII-cum-Spl. Judge Excise-I, Gopalganj, in connection with Sripur P.S Case No.213 of 2024, subject to the following conditions:

(i) the petitioner shall co-operate in the investigation/trial.

(ii) the learned Court would, however, verify the criminal antecedent of the petitioner and in case 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, it is expected that the verification process
would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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