

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38902 of 2025

Arising Out of PS. Case No.-928 Year-2024 Thana- GOPALGANJ TOWN District-
Gopalganj

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Sunil Kumar, S/o- Rajkumar Sah, Resident of village- Basantpur, P.S.-
Runnisaidpur, District-Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :
For the Petitioner : Mr. Aditya Kumar Pandey, Advocate
For the State : Mr. Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-06-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Gopalganj Town P.S. Case No.928 of 2024,
dated-21.12.2024 registered for the offences punishable under
Sections 316(2), 318(4), 338, 336(3), 340(1), 340(2), 3(5) of the
B.N.S., 2023 and 30(a) and 41(1) of the Bihar Prohibition and
Excise (Amendment) Act, 2018.

3. As per allegation, 186.750 litres of illicit liquor has
been recovered from one Hundai I-20 car bearing registration
no. BR-25H-9194 and on search, one number plate bearing
registration no. BR-06DD-2728 was also found in the said car
and the only allegation against the petitioner is that he is the



owner of the vehicle of whose registration number has been mentioned in the number plate lying in the said car.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that even as per the police case, there is no material against the petitioner except one number plate bearing the number of the car of the petitioner which does not show anyway that his vehicle was involved in the alleged offence, and hence, no offence is made out against the petitioner.

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. Considering the aforesaid facts and circumstances, **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 Gopalganj Town P.S. Case No.928 of 2024, 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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