

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32120 of 2025

Arising Out of PS. Case No.-171 Year-2025 Thana- Excise P.S. District- Gopalganj

Sanoj Kumar Son of Late Bhola Mahto Resident of Village - Harakhuwa,
P.S.- Gopalganj (Town), District - Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan, Advocate

For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Gopalganj (Excise) P.S. Case No. 171 of 2025 registered for the offences punishable under Sections 30(a) and 32 of the Bihar Prohibition and Excise Amendment Act 2022.

3. The prosecution case, in short, is that the police party while checking the vehicle, intercepted the motorcycle which was being ridden by the two persons. The police party tried to chase the said motorcycle but one person fled away leaving the said motorcycle and another person was apprehended who disclosed his name as Sanoj Kumar (petitioner) and on search, a total of 90 liters of country-made liquor was recovered from the two gunny bags kept on the



motorcycle.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. No recovery, as alleged, has been made from the possession of the petitioner. It is further submitted that the allegations against the petitioner are false and concocted and due to a previous altercation with the police, the petitioner has falsely been implicated in the present case. Learned counsel next submits that neither the seized motorcycle nor the seized liquor belongs to the petitioner. It has lastly been submitted that the petitioner has clean antecedent and he has been in judicial custody since 18.03.2025.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the fact that the petitioner has clean antecedent, let the above named petitioner be released on bail on deposition of a sum of Rs. 5,000/- 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge IV-cum-Exclusive Special Excise Judge-II, Gopalganj in



connection with Gopalganj (Excise) P.S. Case No. 171 of 2025
subject to the following conditions :

a. One of the bailors of the petitioner shall be his close relative.

b. The petitioner shall remain physically present in Court on each date of the trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

d. And further condition that the 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.

(Sourendra Pandey, J)

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