

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32546 of 2025

Arising Out of PS. Case No.-802 Year-2024 Thana- KATIHAR NAGAR District- Katihar

Shivam @ Shivam Kumar @ Shibu Poddar @ Shivam Poddar S/O Munna
Poddar Residen of Village- Hawai Adda, P.S- Sahayak, District- Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kunwar Ajit Singh

For the Opposite Party/s : Mr.Pronoti Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

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

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Amendment Act.

3. Perusal of the first information report and the
seizure list, would go to show that 110 liters of country made
liquor is said to have been recovered from one motorcycles and
one Harilal Sahni was arrested on the spot.

4. It is submitted by learned counsel for the petitioner
that the name of the petitioner has surfaced in the present case
on disclosure made by the crowd which had gathered at the
place of occurrence stating the name of the petitioner as one of
the persons who had managed to flee away from the place of



occurrence. There is no recovery from the conscious or physical possession of the petitioner and there is no independent witness to the seizure list. The petitioner has no concern with either the motorcycle or the seized liquor and he is in custody since 14.01.2025.

5. Learned APP for the State opposes the prayer for bail on the ground that the petitioner has one criminal antecedent. However, in response, it is stated that the said case is not of similar nature and the petitioner is on bail in the said case.

6. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Town Sahayak P.S. Case 802 of 2024, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.



(iii) The petitioner would appear before the learned Court below on each and every date till the charges are framed.

(iv) The court below shall 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)

devendra/-

U		T	
---	--	---	--

