

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33645 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Bahoranpur District- Bhojpur

Vijay Kumar Prasad @ Shedhi, aged about 45 years, Male, S/o Shivshankar Prasad, resident of village- Belwania P.S.- Bihiya, District- Bhojpur, Bihar
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Sushant Srivastava, Advocate Mr. Sanchay Srivastava, Advocate Mrs. Sonali Priya, Advocate Mr. Ashish Kumar Palit, Advocate
For the Opposite Party/s :	Mr. Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 06-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with Bahoranpur PS Case No.35 of 2025 dated 24.03.2025, instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018 and Sections 25(1-b), 26 and 35 of the Arms Act.

3. The allegation is of recovery of 138.24 litres illicit liquor from motor cycle of petitioner bearing registration number BR 03E 9850 and one loaded countrymade pistol and four live cartridges from the possession of the petitioner. There is recovery of total 345.600 litres illicit liquor from three



motorcycles including the motorcycle of the petitioner.

4. Learned counsel for the petitioner submits that from the motorcycle of the petitioner 138.24 litres illicit liquor and from the possession of the petitioner one loaded countrymade pistol and four live cartridges were recovered. It is also submitted that there is no independent witnesses to the seizure of the liquor and arms. Lastly, it is submitted that the petitioner is in custody since 24.03.2025 and three criminal cases are pending against the petitioner. Charge-sheet has been submitted in the case.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Exclusive Special Excise Court 1st, Bhojpur at Ara, in Bahoranpur PS Case No.35 of 2025, subject to the conditions (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below, (ii) that one of the bailors will be his own



blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner within two weeks after his release from the judicial custody shall appear before the SHO of local PS along with a copy of this order and thereafter shall appear every fortnightly to mark his attendance till framing of charge in the case.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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