

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34990 of 2025

Arising Out of PS. Case No.-185 Year-2025 Thana- BAHADURGANJ District- Kishanganj

1. Ram Prasad Sharma S/O Bikhkhu Sharma R/O Village Jokihat, ward no. 03, P.S.- Jokihat, Dist.- Araria.
2. Vijay Kumar Sharma @ Vijay Kr. Sharma S/O Bikhkhu Sharma R/O Village Jokihat, ward no. 03, P.S.- Jokihat, Dist.- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned counsel for the petitioners and learned
APP for the State.

2. The petitioners seek bail in connection with Bahadurganj P.S. Case No. 185 of 2025 registered for the offences punishable under Sections 30(a), 41 and 47 of the Bihar Prohibition and Excise Amendment Act.

3. As per the prosecution case, the police intercepted a Scorpio car and on search, 287.40 liters of foreign liquor was recovered. It is further alleged that a Maruti car which was following the said Scorpio was also intercepted and four persons were apprehended including the petitioners.

4. Learned counsel for the petitioners submits that the



petitioners have falsely been implicated in this case and no incriminating material has been recovered from the conscious possession of the petitioners. It has further been submitted that the petitioners have no concern with the said Scorpio or the seized liquor and they have been falsely implicated merely because the Swift car was running behind the Scorpio and merely on the basis of suspicion, the petitioners have been arrested. It has lastly been submitted that petitioner No. 1 has an antecedent of two criminal cases and petitioner No. 2 has an antecedent of one criminal case and have been in judicial custody since 18.04.2025.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody of the petitioners, let the above named petitioners be released on bail on each of them furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (Excise) Kishanganj in connection with Bahadurganj P.S. Case No. 185 of 2025 subject to the following conditions :

a. One of the bailors of the petitioners shall be their close relative.



b. The petitioners 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 petitioners in similar nature of offence, the bail bond of the petitioners 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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