

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36326 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- KOPA District- Saran

Jai Prakash Singh S/o Prabhunath Singh Resident of Village- Majlispur, P.S.-
Kopa, District- Saran at Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh, Advocate

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 29-05-2025 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 Act.

3. Perusal of the first information report and the seizure
list would go to show that 75 liters of country made liquor is
said to have been recovered near a Dam.

4. It is submitted by learned counsel for the petitioner
that there is no recovery from the conscious or physical
possession of the petitioner The place of recovery is an open
place and easily accessible to anyone, hence no liability can be
fixed on the petitioner. There is violation of the mandatory
provisions of the search and seizure as there is no independent



witness to the seizure list. Petitioner has been languishing in custody since 08.04.2025.

5. Learned APP for the State opposes the prayer for bail on the ground that the petitioner has three criminal antecedents of similar nature of the offence. However, it is submitted on behalf of the petitioner that the petitioner is on bail in all the cases.

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 Kopa P.S. Case No. 70 of 2024, subject to condition that the petitioner would appear before the Investigating Officer of the concerned Police Station once in a week till the charge sheet is submitted in the case.

(Soni Shrivastava, J)

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