

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33018 of 2025

Arising Out of PS. Case No.-272 Year-2024 Thana- BHORE District- Gopalganj

Sikandar Bin @ Sikandar Kumar S/O Mangru Bin Resident of Village-
Semra, P.S- Bhore, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dewanand Tiwari
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-05-2025 Heard the learned counsel for the petitioner and
learned APP for the State.

2. The petitioner makes a prayer for bail in connection
with Bhore P.S Case No.272 of 2024 registered for offences
under Section 30(a) of the Bihar Prohibition and Excise Act,
2016.

3. The First Information Report and the seizure list
would indicate that there is a total recovery of 380 litres of
country made liquor made from some gallons and gunny bags,
which was kept in the bushes behind the poultry farm.

4. Learned counsel for the petitioner submits that the
nothing has been recovered from the physical and conscious



possession of the petitioner and the recovery is made from an open space, which is accessible to all. Further, there is no independent witness to the seizure list and hence, the mandatory provisions of search and seizure have not been complied with. The petitioner is in custody since 28.03.2025.

5. Learned APP for the State opposes the prayer for bail application on the ground that there are two criminal antecedent of the same nature, in response to which learned counsel for the petitioner submits that he is on bail in all the said cases.

6. In view of the facts and circumstances, the petitioner is enlarged on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount, each to the satisfaction of learned Additional Sessions Judge-XIII-cum-Special Judge Excise-I, Gopalganj, in connection with Bhore P.S Case No.272 of 2024, subject to the following conditions:

(i) the petitioner shall co-operate in the investigation/trial.

(ii) one of the bailors shall be the family member/close relative of the petitioner.

(iii) the learned Court would, however, 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)

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