

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33714 of 2025

Arising Out of PS. Case No.-52 Year-2025 Thana- GOPALPUR District- Gopalganj

Bideshi Singh @ Videshi Singh @ Bidesi Singh S/o Late Ram Sharan Singh
R/o Village- Ratanpura, P.S.- Gopalgpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh, Advocate

Mrs. Sambhavi, Advocate

For the Opposite Party/s : Mr.Bharat Lal, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Gopalgpur P.S. Case no.52 of 2025
registered under section 30(a) of the Bihar Prohibition and
Excise Act, 2016.

3. As per the prosecution case, the informant states
that on seeing police personnel five accused who carried gunny
bags on their head tried to mange to escape but two of them
were apprehended at the spot who disclosed their names as
Rahul Kumar and Bidesi Singh (petitioner). On search, a total of
117.600 liters of country made liquor is said to have been
recovered from the gunny bags which had been thrown by the
accused.

4. Learned counsel for the petitioner submits that no



recovery has been made from physical or conscious possession of the petitioner and rather the alleged recovery was made from the sacks which were thrown by the accused on the ground and hence, no liability can be fixed upon the petitioner with regard to the said recovery. He further submits that no independent witness is there on the seizure list further indicating violation of mandatory provisions of the B.N.S.S. The petitioner has one criminal antecedent, however he is on bail on the said case. He is in custody since 05.03.2025 and undertakes to cooperate in the case/trial.

5. The application for anticipatory bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the above mentioned facts of the case, the petitioner is directed to be enlarged on bail in connection with Gopalpur P.S. Case no.52 of 2025 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 Addl. District and Sessions Judge-IV-cum-Exclusive Special Excise Court No.2, Gopalganj.

(Soni Shrivastava, J)

Harsh/-

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