

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34939 of 2025

Arising Out of PS. Case No.-63 Year-2025 Thana- YADOPUR District- Gopalganj

1. Karan Kumar S/o Chokat Patel R/o vill - Banahora, P.S.- Jagdishpur, Distt.- West Champaran
2. Mithlesh Kumar S/o Yogendra Patel R/o vill - Banahora, P.S.- Jagdishpur, Distt.- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioners seek bail in a case registered for
the offences under Section 30(a) of Bihar Prohibition and
Excise Act.

3. As per the prosecution case, the police
apprehended two persons on a bolero vehicle while one
person managed to flee. On enquiry, the apprehended
persons disclosed their names as Karan Kumar (petitioner
no. 1) and Mithlesh Kumar (petitioner no. 2) and they
disclosed that the persons who fled away was Amarjeet
Yadav. On search, total 240 liters of foreign liquor was



recovered from the bolero vehicle.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case and petitioner no. 1 was the driver of the said vehicle while petitioner no. 2 is the passenger and neither of the petitioners are the owner of the said seized bolero vehicle. It is next submitted that the petitioners have no concern with the alleged recovery and no incriminating article has been recovered from their conscious physical possession. It has been submitted that no independent witnesses was there to their seizure list. It is lastly submitted that the petitioners have clean antecedent and are in custody since 13.04.2025.

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

6. Considering the aforesaid submissions of the parties and also considering the period of custody of the petitioners, let the petitioners above- named, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned concerned, Gopalganj, in



connection with Jadopur P.S. Case No. 63/2025, 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. If the petitioners are found to be engaged in any other incident of similar nature the prosecution shall be at liberty to approach the learned Court below for cancellation of bail of the petitioners.
- d. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.
- e. 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 afore-mentioned order shall not be delayed for purpose of or in the name of verification.

7. This application stands allowed.

(Sourendra Pandey, J)

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