

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36780 of 2025

Arising Out of PS. Case No.-173 Year-2025 Thana- Excise P.S. District- Siwan

Om Prakash Singh Badal Son of Baleshwar Singh Prasad R/o mohalla -
Jakariyapur Jhali, Sampatchak, P.S.- Ram Krishna Nagar, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gaurav Prakash, Advocate

For the Opposite Party/s: Mrs. Gulnar Begum, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 21-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Section 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act, 2022.

3. There is recovery of 204.12 liters of illicit liquor from a pick up van.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. No recovery was made from the physical and conscious possession of the petitioner. It is next submitted that the name of the petitioner has surfaced on the ground that petitioner is the owner of the said pickup van. However, the van had been given to the driver and



he had no knowledge with regard to the fact that it was put to illegal use. There is no independent witness to the seizure list. The name of the petitioner has been disclosed by the local people. Petitioner has one criminal antecedent in similar nature of offence.

5. Learned APP for the State opposes the prayer for bail .

6. Taking into consideration the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, 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 lower Court where the case is pending/successor Court in connection with Siwan Excise P.S Case No.173 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/482(2) of the B.N.S.S. with further conditions that:

(i) One of the bailors will be a family member/close relative.

(ii) The petitioner would appear before the Investigating Officer at an interval of 15 days till the investigation against him is concluded.



(iii) The court below shall 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, preferably within a period of two weeks.

(Soni Shrivastava, J)

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