

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35346 of 2025

Arising Out of PS. Case No.-17 Year-2024 Thana- Chhaudahi District- Begusarai

BIKASH KUMAR @ BALLU Son of Late Lalan Ray @ Kari Ray Resident
of Village - Narayan Pipar, Police Station - Chhaurahi, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks 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 informant got
secret information that one Bikash Kumar (petitioner) has
brought illicit liquor and has concealed it behind his house.
It is further alleged when raid was conducted, the police
saw one person fleeing and on search around 208.755 liters
of foreign liquor was recovered from the bushes behind his
house.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case merely because he carries a long list of antecedents. It is next submitted that the petitioner has no concern with the alleged recovery and no incriminating article has been recovered from his conscious physical possession. It is lastly submitted that the petitioner has two criminal cases against his name of similar offence while there are nine other cases on him but of different charges and is in custody since 19.02.2025. Learned counsel for the petitioner undertakes to deposit a fine of Rs. 10,000/- in the account of Advocate Association of the Patna High Court.

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

6. Considering the aforesaid submissions of the parties and also considering the period of custody of the petitioner, let the petitioner above- named, be enlarged on bail, on deposition of a sum of Rs. 10,000/- in the account of Advocate Association of the Patna High Court and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing of bail- bond and thereafter on furnishing bail-bond of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai, in connection with Chhaurahi P.S. Case No. 17/2024, subject to the following conditions:-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. If the petitioner is 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 petitioner.
- d. In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- e. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage 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, 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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