

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38585 of 2025

Arising Out of PS. Case No.-322 Year-2025 Thana- SASARAM NAGAR District- Rohtas

1. Ramanand Ram S/O Shiv Narayan Ram R/O Mohalla- China Bhaththa, Bauliya , P.S.- Sasaram (T), Dist.- Rohtas
2. Sonu Ram S/O Santosh Ram @ Ashok Ram R/O Mohalla- China Bhaththa, Bauliya , P.S.- Sasaram (T), Dist.- Rohtas

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Singh, Advocate

For the Opposite Party/s : Mr. Md. Iftekhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-06-2025 Heard Mr. Rajani Kant Singh, learned counsel for the petitioners and Mr. Md. Iftekhar Mahmood, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Sasarm (T) P.S. Case No. 322 of 2025, F.I.R. dated 29.04.2025 for the offences punishable under Sections 352, 191(2), 190, 121(2), 121(1), 132, 324(4), 126(2), 115(2) and 35(2) of the B.N.S. and Section 30(a) of the Bihar Prohibition and Excise Act 2018/2022.

3. According to prosecution case, total 50.00 litres of country made Mahua liquor was recovered.

4. Learned counsel for the petitioners submits that



petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that from perusal of the F.I.R and seizure list it appears that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from the co-accused persons, namely, Amarjeet Kumar and Prince Kumar and the name of the petitioners have been transpired on the basis of secret information and there is no specific allegation of any assault or overt act against these petitioners and except the secret information no other cogent material has come during investigation which suggests the involvement of the petitioners in the present occurrence.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and apart from that both the petitioners carries one criminal antecedent other than the present one but fairly submits on the basis of paragraph 3 of the bail petition that the petitioners are on bail in the pending matter.

6. Considering the aforesaid fact, the petitioners



have clean antecedent and there is no specific allegation of any assault or over act and nothing has been recovered from the conscious possession of the petitioners, let the petitioners, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise Court No. 2, Rohtas in connection with Sasaram (T) P.S. Case No. 322 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that 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 above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

U		T	
---	--	---	--

