

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39822 of 2025

Arising Out of PS. Case No.-136 Year-2024 Thana- Balwahat District- Saharsa

Virendra Kumar Sah Son of Late Shit Narayan Sah Resident of Village-
Rampur Punarwas, Ward No. 6, Nemua, P.s.- Supaul, Distt.-Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nafisu Zzoha, Advocate
For the State : Mr. Ramchandra Sahni, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 09-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Balwahat P.S. Case No. 136 of 2024, dated
09.10.2024, registered for the offences punishable under
Sections 30(a) and 41 of Bihar Prohibition and Excise
(Amendment) Act, 2022.

3. As per allegation, 307 liter illicit liquor has been
recovered from a magic vehicle and the same was seized by the
police along with arrested driver of the vehicle and as per the
confessional statement of the driver, two persons, Raju and one
unknown person were guiding him regarding direction through
Mobile No. 9534503411 and 9572172056.

4. Learned counsel for the petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner has apprehension of arrest in view of the fact that one of the Mobile No. 9572172056 belongs to him. However, petitioner denies that he has any involvement in the alleged offence and there is no any material against the petitioner, except the present allegation that Mobile No. 9572172056 belongs to him.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below, in connection with Balwahat



P.S. Case No. 136 of 2024, subject to the conditions as laid down under Section 482 (2) B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J.)

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