

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43628 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- RAJNAGAR District- Madhubani

Indal Sah @ Indal Kumar Sah S/O Jang Bahadur Sah R/O Village- Hirapatti,
P.S - Rajnagar, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 06-08-2025 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 offence punishable under Sections 274, 275 of the BNS and Sections 30(a) and 47 of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the seizure list, would go to show that 531 liters of foreign liquor is said to have been recovered from the Scorpio vehicle.

4. It is submitted by learned counsel for the petitioner that there is no recovery from the physical and conscious possession of the petitioner. As a matter of fact, the petitioner is not the owner of the said vehicle and his name has surfaced in the present case on disclosure made by some local persons who kept their names secret. It is further submitted that



the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has six criminal antecedents of similar nature of the offence. In response to the same, it has been stated that it is only because of criminal antecedent, the petitioner has been made an accused in the present case, however, he is on bail in four out of six cases.

6. At this stage, petitioner offers to deposit a sum of Rs. 5,000/- (Rupees Five Thousand) in the account of Patna High Court Legal Services Committee, Patna, bearing Account No. 1413010060836, IFSC Code: PUNB141320, Punjab National Bank, Bar Counsel Branch, Patna.

7. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail 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 court below where the case is pending/successor court in connection with Rajnagar P.S. Case No. 134 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., subject to the further conditions:

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

(ii) 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.

8. The learned court below is directed to accept the bail bonds of the petitioner showing receipt of deposit of the aforesaid amount in the Patna High Court Legal Services Committee, Patna.

(Soni Shrivastava, J)

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