

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 43515 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- Shahartelpa P.S. District- Arwal

1. Prabhanjan Sakun S/o Ramadhar Singh R/o vill - Goh, P.S .- Goh, Distt. - Aurangabad
2. Sandeep Kumar S/o Pankaj Paswan R/o vill - Banke Bazar, P.S.- Banke Bazar, Distt.- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad Adv.

For the Opposite Party/s : Mr.Rana Randhir Singh APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State.

2. The petitioners apprehend arrest in connection with
Shahar Telpa PS Case No. 16 of 2025 dated 17.12.2025 ,
instituted under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3.The allegation is of the recovery of 290.25 litres of
foreign liquor from a pickup van bearing registration no. BR-26
GC-3650.

4. Learned counsel for the petitioners submits that the
petitioners are innocent and they have been falsely implicated in
the present case. It is further submitted that the petitioners have
been made accused merely on the basis of a secret information,
without any recovery of contraband from their conscious



possession or from their house. It is further submitted that the petitioners have no concern whatsoever with the seized illicit liquor and are neither the driver nor the owner of the pickup van in question. Lastly, it has been submitted that petitioner no. 1 has four criminal cases registered against him, in two of which he has already been acquitted and is on bail in the remaining two cases. Petitioner no. 2, on the other hand, has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise II, Jehanabad or successor Court, in Shahar Telpa PS Case No. 16 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 subject to the following conditions:-(i) that the petitioners shall cooperate in the trial and shall be properly represented on each and every date fixed 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) that one of the bailors will be their own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailors shall also state on affidavit that they will inform the court concerned if the petitioners are made accused in any other case of similar nature after their release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse, (iv) that 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.

7. The application stands allowed.

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(Khatim Reza, J)

