

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52428 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- HATHIDAH District- Patna

Golu Kumar @ Sonu Kumar S/o Sri Sanjay Ram Resident of Dargahi Tola,
P.S.- Hathidah, Distt- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Manglam, Adv

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in a case registered for the offence punishable u/s 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 23.25 litres of illicit foreign liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no incriminating article has been recovered from the conscious possession of the petitioner and he has no concern with the alleged recovery. It is next submitted that the name of the petitioner was disclosed by the apprehended co-accused persons namely Abhay Kumar. It is



also submitted that the petitioner is not the owner of the said motorcycle and the same was not being driven by him at the time of alleged recovery. It is lastly submitted that the petitioner has two criminal antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer of anticipatory bail of the petitioner and has stated that the petitioner carries two criminal antecedents and one of them has the similar nature of offence, hence he does not deserve the liberty of bail.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of four weeks from today, be enlarged on anticipatory bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna, in connection with Hathidah P.S. Case No. 33 of 2025, subject to the conditions as laid down under Section 482(2) of the Bharitya Nagrik Suraksha Sanhita (B.N.S.S.), with further condition/s:-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two



consecutive dates or in violation of the terms of the bail, the bail bonds of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of their bail bond.

(v) The learned 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 antecedents, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. This application stands allowed.

(Sourendra Pandey, J)

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