

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52502 of 2025

Arising Out of PS. Case No.-74 Year-2025 Thana- Pachpakdi District- East Champaran

Santosh Kumar @ Santosh Sah S/O Late Jagan Sah Resident of Village-
Pachpakadi, P.S.- Pachpakadi, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Tapeshwar Sharma

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 12-08-2025 Heard learned counsel for the parties.

2. The petitioner apprehends his arrest in a case registered under section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, a total of 17.250 liters of foreign liquor was recovered from behind the house of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. The alleged recovery has been made from behind the house of the petitioner. It has further been submitted that no incriminating article has been recovered from the conscious possession of the petitioner and there is no independent eye witness to the said seizure. Lastly it has been submitted that the petitioner has antecedent of



one criminal case.

5. Heard learned APP for the State.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, in the event of his arrest or surrender within four weeks, the above named petitioner is directed to be enlarged on bail in connection Pachpakri P.S. Case No. 74 of 2025 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/court concerned subject to the conditions :

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii). In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) 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 bond of the petitioner. 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.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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