

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55210 of 2025

Arising Out of PS. Case No.-19 Year-2023 Thana- YADOPUR District- Gopalganj

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1. Jai Prakash Singh S/o- Vishwanath Singh Resident of Village- Jamuan Barwa Rajapakar, P.S.- Turkpatti District- Kushinagar, U.P.
 2. Sanjeev Kumar Singh S/o- Late Satyadeo Singh, Resident of Village- Harpur PS- Uchkagaon District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Pandey, Advocate

For the Opposite Party/s : Ms. Sucheta Yadav, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 27-08-2025 Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend arrest in a case registered under Section 414 of the Indian Penal Code and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 225 litres of illicit liquor from *Bolero* vehicle. One person, namely, Sunil Kumar Singh was apprehended on spot and disclosed that he and co-accused Sujit Singh purchased the said liquor from brewery situated at Siswa Bazar, Uttar Pradesh and were going to hand over to co-accused Mukendra Singh of Ramnagar village.



4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in this case. Further submission is that petitioners are not named in the F.I.R. Their names have come merely on the ground that at the relevant time, they were owners of one of the breweries situated at Siswa Bazar, Uttar Pradesh. Petitioners have no concern with the seized illicit liquor & *Bolero* vehicle or with the apprehended co-accused. Petitioners have neither the owners nor the drivers of the seized vehicle. Similarly situated co-accused Mukendra Singh @ Mukendra Kumar and Sujit Singh have already been granted anticipatory bail by a Co-ordinate Bench of this Court *vide* orders dated 31.07.2023 & 04.08.2023 passed in Cr. Misc. Nos. 37412 of 2023 & 42076 of 2023 respectively. It is submitted that petitioners have one criminal antecedent in which, they are on bail. Petitioners undertake to cooperate in the investigation and trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

6. Considering 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/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.D.J.-XIII-cum-Special Judge Excise-1, Gopalganj in connection with Yadopur P.S. Case No. 19 of 2023, subject to the conditions as laid down under Section 482(2) of the B.N.S.S., 2023 with further conditions:-

(i) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bonds by the Trial Court itself;

(ii) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(iii) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

(Sunil Dutta Mishra, J)

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