

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59714 of 2025

Arising Out of PS. Case No.-168 Year-2023 Thana- Daudnagar Excise District- Aurangabad

Shankar Dayal Sanjay Sharma @ Sanjay Kumar R/o Village - Pethari/Petarhi,
P.S. - Jamhore, Dist. - Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Adv
For the State : Ms. Gulnar Begum, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Daudnagar P.S. Case No. 168 of 2023, G.R. No. 1422 of 2023, dated 16.10.2023 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise Amendment Act, 2018.

3. As per allegation, total 224.640 litre of country made liquor was recovered from a car bearing Registration No. JH-03AK-2973 and when the police was trying to intercept the vehicle, two persons got down from the car and fled away, whereas the driver and one co-accused were arrested and seizure of the contraband was made. As per further case of the prosecution, the petitioner is one of co-accused persons, who



fled away leaving behind the car.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not present at the time of alleged occurrence, nor the car belongs to him. He further submits that there is no material on record to connect the petitioner with the alleged offence. He further submits that no prima facie case is made out against the petitioner and hence, the anticipatory bail petition is maintainable.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has one criminal antecedent.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering the aforesaid facts and circumstances, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten



Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court Below, in connection with Daudnagar P.S. Case No. 168 of 2023, subject to the conditions as laid down under Section 482 (2) of the B.N.S.S., 2023 and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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