

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61515 of 2025

Arising Out of PS. Case No.-739 Year-2025 Thana- SIKARPUR District- West Champaran

Akhilesh Kumar @ Akhilesh Sah Son of Satyanarayan Sah Resident of Vill-
Gokhula, P.S.- Shikarpur, Distt.- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Sanjeev Kumar, Advocate
For the State	:	Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Shikarpur P.S. Case No.739 of 2025, dated
21.07.2025, registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 1.26 litres of illicit liquor has
been recovered from the house of the petitioner.

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 has clean antecedent
and search and seizure of the contraband has not been made as
per rules. The whole recovery is vitiated.

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

8. Considering the minuscule quantity of liquor allegedly recovered from the house of the petitioner, it would be travesty of justice if his liberty is curtailed at this stage. Hence, invoking the writ jurisdiction, **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 Shikarpur P.S. Case No.739 of 2025, 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, 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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