

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64517 of 2025

Arising Out of PS. Case No.-321 Year-2022 Thana- FATEHPUR District- Gaya

Bharat Sah, Son of Late Bihari Sah R/o Ward No.10, Katdharava, P.O.
Gopalganj, Manikpur, P.S. Gopalganj, Dist. - Gopalganj, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Harsh Vardhan

For the Opposite Party/s : Mr.Arun Kumar

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 26-09-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Sections 409, 120B read with 34 of the Indian Penal Code.

3. The learned counsel for the petitioner submits that
the petitioner is a person with clean antecedent and is a retired
Sub-Inspector of Police. It is further submitted that while he was
posted in Fatehpur Police Station, Gaya, when two packets of
liquor along with three cartons of beer from village Dundu was
recovered, but then, seizure list was not prepared.

4. The learned counsel for the petitioner submits that
petitioner has been falsely implicated in the instant case by the
informant. It is further submitted that no such liquor was seized,



as such, no seizure was prepared. It is also submitted that allegation is of the Year 2021 and the FIR came to be instituted in the Year 2022 i.e. after a delay of nearly more than one year two months, which cast an aspersion on the case of the prosecution.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on anticipatory bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.4, Gaya in connection with Fatehpur P. S. Case No.321 of 2022, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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