

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63768 of 2025

Arising Out of PS. Case No.-15 Year-2021 Thana- PHULWARIYA District- Gopalganj

Namuna Sah Son of Vidya Prasad @ Vidya Sah R/o Village - Koisa
Khurd(Kuisa Khurd), P.S. - Kateya, District -Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lokesh Kumar Singh, Advocate
		Mrs. Shambhavi Suyesha, Advocate
For the Opposite Party/s	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Phulwariya P.S. Case No. 15 of 2021 for the offence under section 30(a) of the Bihar Prohibition and Excise Act lodged on 14.01.2021.

3. As per the prosecution story, the Police on secret information intercepted a Wagon-R car and there is recovery/seizure of 153 liters of country-made liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that the car does not belong to the petitioner nor he has anything to do with it and only because of criminal antecedent, implicated. The last submission is that without accepting the allegation and/or



the outcome of the present case, the petitioner intends to contribute Rs. 10,000/- to the District Legal Services Authority, Gopalganj for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Gopalganj Judgeship through Demand Draft issued by the local branch of the State Bank of India.

5. Learned APP, Mr. Jitendra Kumar Singh opposes the prayer submitting that the petitioner has criminal antecedents.

6. Taking into account the submissions of the parties as also that the car does not belong to him and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions subject to payment of Rs. 10,000/- to the District Legal Services Authority, Gopalganj for the beautification of the Civil Court Campus/purchase of flower pots/purchase of sanitary vending machine, whichever is required in the Civil Court Campus of Gopalganj Judgeship through Demand Draft issued by the local branch of the State Bank of India and the receipt of the expenditure shall be submitted to the trial Court by the DLSA,



Gopalganj.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District & Additional Sessions Judge-XIII-cum-Special Judge, Excise Court No. I, Gopalganj in connection with Phulwariya P.S. Case No. 15 of 2021 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner 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 his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for



cancellation of the bail bonds;

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

(Rajiv Roy, J)

Adnan/-

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