

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63797 of 2025

Arising Out of PS. Case No.-241 Year-2025 Thana- BAIKUNTHPUR District- Gopalganj

Manohar Sharma S/o Parmat Sharma @ Parmatma Sharma Resident of
Village- Basaha, Rajapali, P.S.- Baikunthpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh

For the Opposite Party/s : Mr.Umeshanand Pandit

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 Baikunthpur P.S. Case No. 241/2025 for the offence under Sections 30(a) of the Bihar Prohibition and Excise (Amendment) Act lodged on 30.07.2025 by the informant, Vijay Kumar.

3. As per the prosecution story, the police raided the house of the petitioner. Near the bed, there is recovery of 25.380 liters of foreign Liquor. This led to the FIR.

4. Learned counsel for the petitioner submits that it is an open place accessible to everyone. It is being a new house shifting has not been done. He do not have criminal antecedent.

5. Learned APP opposes the prayer submitting that the house belongs to this petitioner.

6. Taking into account the submissions of the parties



as also that the petitioner has no criminal antecedent, in that background, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. If, however, it is found that contrary to the statement made in paragraph-3, the petitioner has criminal antecedent, the present order shall become infructuous.

8. 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 Additional District and Sessions Judge XIII cum Special Court-I, Gopalganj, in connection with Baikunthpur P.S. Case No. 241/2025. 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)

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