

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65981 of 2025

Arising Out of PS. Case No.-205 Year-2024 Thana- SAKRI District- Madhubani

Sandip Safi S/o Sitaram Safi Resident of Budhan Jha Tole Pandaul, P.S.-
Pandaul, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan, Adv.

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has earlier moved before this Court with a prayer for anticipatory bail which was rejected vide order dated 28.02.2025 passed in Cr. Misc. No. 83326 of 2024.

3. The petitioner seeks bail in connection with Sakri P.S. Case No. 205 of 2024 instituted for the offences under Sections 274, 275, 3(5) of the B.N.S., 2023 and Section 30(a) of the Bihar Prohibition and Excise Act.

4. As per prosecution case, the police has recovered total 337.05 liters of illicit liquor from the bush.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner rather the recovery has been made from the open place which is accessible to one and all. The petitioner has no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has seven criminal antecedents and is languishing in judicial custody since 18.08.2025 without any rhymes or reason.

6. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the petitioner has altogether seven criminal antecedent of similar nature of offences.

7. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, on furnishing bail bonds of Rs.15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sakri P.S. Case No.



205 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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