

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67367 of 2025

Arising Out of PS. Case No.-122 Year-2024 Thana- Bankebazar District- Gaya

Sunil Kumar Prajapati, S/o Brahmdev Prajapati, R/o Village- Budhiyadabar,
P.S.-Chouparan. District-Hazaribag, (Jharkhand), Pin - 825406

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ajit Kumar, Advocate Mr. Samir Kumar, Advocate Mr. Sauravh Singh, Advocate
For the State	:	Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 25-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Banke Bazar P.S. Case No.122 of 2024,
dated-17.10.2024 registered for the offences punishable under
Sections 30(a) of the Bihar Prohibition and Excise Act.

3. As per allegation, 5 liter of illicit liquor has been
recovered from a motorcycle bearing Registration No. JH-02-
BF-7522 belonging to the Petitioner and the person who was
driving the motorcycle at the time of recovery was also arrested.

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 been implicated



in this case only on account of he being owner of the motorcycle in question. However, that motorcycle was already stolen on 12.06.2023 and he has already lodged online complaint bearing no.291281 on 04.07.2023, in which it has been clearly stated that his motorcycle was stolen by unknown persons. Hence, the Petitioner has no complicity in the alleged offence.

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. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

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

8. Considering the aforesaid facts and circumstances, **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 Banke Bazar P.S. Case No.122 of 2024, 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 antecedents, 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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