

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66504 of 2025

Arising Out of PS. Case No.-67 Year-2025 Thana- KARTAHA District- Vaishali

Prince Kumar, aged about 33 years, male, W/o- Late Baccha Singh R/o-
Thegadih PS- Kartaha Dist- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nachiketa Jha

For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 24-09-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Kartahan P.S. Case No. 67 of 2025 dated 25-05-2025, instituted
under Sections 238 & 3(5) of the B.N.S. as well as Sections
30(a), 36 and 41(1) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 2082.24 litres of
Indian Made Foreign Liquor and 5088 litres of beer from a truck
bearing Registration No. WB-11D 1126, which was standing
near a petrol pump in front of the shop of Anandi Singh.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. It is further submitted that the petitioner has not
been arrested at the spot nor has he been seen around the alleged



place of occurrence. The petitioner has no concern with the said seized illicit liquor and beer. It is emphatically submitted that the seized vehicle does not belong to the petitioner. The petitioner has been made an accused only on the basis of the disclosure made by the spy. The informant does not disclose the source of identification of the petitioner. Lastly, it has been submitted that two criminal cases of similar nature are pending against the petitioner in which he is on bail.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.1-cum-Additional District and Sessions Judge, Vaishali at Hajipur, in Kartahan P.S. Case No. 67 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023 and further (i) that the petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without



sufficient reason, his bail bond shall be cancelled by the court below, (ii) that one of the bailors will be his own blood relation, preferably father, mother, brother, sister and or his wife, (iii) that the bailor shall also state on affidavit that he will inform the court concerned if the petitioner is made accused in any other case of similar nature after his release in the present case and thereafter the court below will be at liberty to initiate the proceeding for cancellation of bail on ground of misuse (iv) that if the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail and (v) that the petitioner will appear before the SHO of concerned PS in the first week of each month till the framing of charge in this case.

7. The Court below shall verify the ownership of the truck bearing Registration No. WB-11D 1126 before accepting bail bond. If the petitioner is found to be the owner, he shall not be released on bail, and this order shall be deemed to be rejected.

8. The application stands allowed.

(Khatim Reza, J)

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