

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71874 of 2025

Arising Out of PS. Case No.-122 Year-2025 Thana- TARARI District- Bhojpur

Babliish Kumar @ Abhishek Kumar, aged about 23 years, male, S/o Rajendra Sah Resident of Village- Bagsanda, P.S.- Tararai, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 15-10-2025 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with Tarari PS. Case No. 122 of 2025 dated 04-07-2025, instituted under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The allegation is of recovery of 15 litres of illicit country made liquor which was kept inside a jute sack at Koshaldih More.

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 no illicit liquor or any incriminating material has been recovered from the conscious possession or from the house of the petitioner. The recovered illicit liquor was found at a place where the petitioner was not



present. It is also submitted that the petitioner has been made an accused merely on the basis of disclosures made by local people in the vicinity. Lastly, it is submitted that three criminal cases are pending against the petitioner, two of which are of a similar nature.

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 Excise Court No.II, Bhojpur at Ara, in Tarari PS. Case No. 122 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 application stands allowed.

(Khatim Reza, J)

shyambihari/-

U			
---	--	--	--

