

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73075 of 2025

Arising Out of PS. Case No.-630 Year-2020 Thana- GOPALGANJ TOWN District-
Gopalganj

Anup Kumar sah S/O Hira Lal sah R/O Hajiapur Ramnagar, Husepur,P.S-
Bhore,Dist- Gopalganj Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepankar Raj, Adv.

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR
ORAL ORDER

2 17-10-2025 Heard the parties.

2. This application for grant of anticipatory bail arises out of Gopalganj Police Station Case No. 630 of 2020, disclosing offence under Sections 414 of the Indian Penal Code and Sections 30(a)/41(1) of the Bihar Prohibition and Excise Act, 2016.

3. The allegation against the petitioner, as per the First Information Report, is that the police, on secret information, intercepted two Pick-up vans bearing registration no. BR 28GA-6987 and registration no. BRO1GH8351 wherefrom 630 litres each (totalling 1260 litres) of illicit liquor was recovered.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and on the basis of confessional statement made by the co-accused, Bablu Singh. He further submits that neither the recovered liquor nor the pick-up van belongs to the petitioner and he earns his livelihood by doing labour in the local area. Lastly, it has been submitted that the petitioner has got clean



antecedent while paragraph-3 of the petition disclosing one case pending against the petitioner, whereas, the same is incorrect and because of cut-paste practice, the same could not be finally deleted and appearing in the petition, which may be ignored.

5. Learned APP vehemently opposes the prayer for anticipatory bail submitting that there has been a huge recovery of illicit liquor and the petitioner has been named of one of his accomplices.

6. After having heard learned counsel for the parties and taking into consideration the fact that seized vehicles do not belong to the petitioner and further the petitioner has got no criminal antecedent as verbally stated by the learned counsel for the petitioner and believing his statement, this Court is inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, allowed.

8. Let the petitioner, named above, in the event of his arrest or surrender before the Court below within four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-II-cum- Special Excise Court No.1, Gopalganj, in connection with aforesaid Police Station Case subject to the



condition as laid down under Section 482 (2) of the B.N.S.S. 2023 as well as the following conditions:-

(i) one of the bailors should be the family member/relative of the petitioners who shall provide official document to show his/her bona fide;

(ii) the petitioners 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 petitioners 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

(iv) the petitioners 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.

9. It is made clear that the learned trial court is directed to verify the statement having been made in this Court with regard to clean antecedent of the petitioner and, in case, it is found that the petitioner has got any criminal antecedent, in



that event, the benefit of anticipatory bail extended to this
petitioner shall stand cancelled.

(Ajit Kumar, J)

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