

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78451 of 2025

Arising Out of PS. Case No.-299 Year-2018 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

Sanjay Kumar S/o Late Raghunath Prasad @ Raghunath Prasad Kesari R/o
Village- Mirganj Uttar Mohla, P.S.- Mirganj, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Adesh Raj Singh, Advocate
For the Opposite Party/s : Ms. Sangeeta Sharma, APP

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

ORAL ORDER

3 04-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 299 of 2018, Sessions Trial No. 483 of 2025
instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. Prosecution case, in short, is that total 3.060 litres
foreign liquor has been recovered from the house of the
petitioner.

4. Learned counsel for the petitioner submitted that
present case is the case of misuse of privilege of bail earlier
granted to the petitioner. Earlier the petitioner was granted bail
on 05.01.2019 by the learned court below, however, due to



circumstances beyond the control of the petitioner, his bail bond was cancelled on 21.02.2022 and Non-bailable Warrant was issued on 19.05.2025 against him. It is further submitted that as soon as the petitioner came to know about the issuance of NBW, he immediately surrendered before the learned court below. It is further submitted that charges have not been framed against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 08.10.2025 and has no criminal antecedent. Learned counsel further submitted that petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the undertaking given by the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 Excise P.S. Case No. 299 of 2018,



Sessions Trial No. 483 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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