

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84103 of 2025

Arising Out of PS. Case No.-104 Year-2024 Thana- KOCHAS District- Rohtas

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Gandhi Ansari @ Sikib Ali @ Sakib Ali Son of Saukat Ali Resident of
Village- Kochas Gandhi Nagar, P.S.- Kochas, District- Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate
For the State : Mrs. Indu Kumari Srivastava, APP

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 17-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Kochas P.S. Case No. 104 of 2024, dated
03.04.2024, registered for the offences punishable under Section
30(a) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. As per allegation, 8.64 litre of illicit liquor has been
recovered from the bag being carried by co-accused/Aditya
Kumar by the motorcycle. It is further case of the police that as
per secret information, he intercepted the motorcycle being
driven by co-accused/Aditya Kumar and he was apprehended
and disclosed his name as Aditya Kumar and also disclosed that
the contraband was given by the petitioner and co-



accused/Ankul Kumar Chauhan to take it to Kochas market.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that name of the petitioner has transpired only in the confessional statement of co-accused which has no evidentiary value. He further submits that there is no other material on record to connect the petitioner with the alleged offence. He further submits that no *prima facie* case is made out against the petitioner and hence, the present anticipatory bail petition is maintainable.

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 antecedent.

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 Kochas P.S. Case No. 104 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 other than the disclosed one, 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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