

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83717 of 2025

Arising Out of PS. Case No.-398 Year-2025 Thana- SUGAULI District- East Champaran

Arvind Kumar, S/o Krishna Sahani, Resident of Village- Telahiya, P.S.-
Sugauli, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar Gupta, Advocate.

For the State : Mr. Sanjay Kumar, APP1`

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Sugauli P.S. Case No. 398 of 2025 dated 21.07.2025 registered for the offence punishable under Section 30(a) of Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per allegation, one person was driving Motorcycle and behind that Motorcycle, two persons were riding on another Motorcycle carrying a bag and seeing the Police, the persons carrying the bag threw and fled away. It is further alleged that from the bag, 85 litres of illicit liquor has been recovered. The person riding on 1st Motorcycle was apprehended and he disclosed the name of two persons who fled away from the place of recovery and the petitioner is one of



those two accused persons.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is no way involved in the alleged offence. He was neither present on the place of occurrence nor any Motorcycle belongs to him. He also submits that petitioner was not driving any such vehicle and hence, no *prima facie* case is made out against him.

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 antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering that no *prima facie* case is made out against the petitioner, **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 Sugauli P.S. Case No. 398 of 2025, 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 antecedent, 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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