

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84846 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- DUMARIAGHAT District- East
Champaran

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Jai prakash singh Son of Ganesh singh Resident of Village - Khijarpura, Ward
no. 04, P.S. - Kesariya, Dist. -East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

Mr. Hemant Ray

For the Opposite Party/s : Mr.Lakshmi Kant Sharma

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 19-12-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner is apprehending his arrest in a case
registered for the offence punishable under Sections 30(a), 41(1)
of the Bihar Prohibition and Excise Act.

3. Perusal of the first information report and the
seizure list, would go to show that 30 liters of foreign liquor is
said to have been recovered from the Bolero Pick-up bearing
Registration No. BR11GE6263.

4. It is submitted by learned counsel for the
petitioner that there is no recovery from the physical and
conscious possession of the petitioner. As a matter of fact, the
name of the petitioner has surfaced in the present case as he is
the owner of the said vehicle. However, the said vehicle was



given to the driver to drive the same. It is further submitted that the mandatory provisions of search and seizure have been violated as there is no independent witness to the seizure list.

5. Learned APP for the State opposes the prayer for bail on the ground that petitioner has one criminal antecedent of similar nature of the offence, to which, learned counsel for the petitioner submits that the petitioner is on bail.

6. At this stage, petitioner offers to deposit a sum of Rs. 25,000/- (Rupees Twenty Five Thousand) in the account of Mahavir Cancer Sansthan, bearing Account No. 3332964762, IFSC Code: CBIN0282779, Central Bank of India, Chitkohra Branch, Patna.

7. Taking into consideration the fact and circumstances of the case, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Dumariyaghat P.S. Case No. 217 of 2025, subject to the condition as laid down under Section 438 (2) of the Cr.P.C./482(2) of the B.N.S.S., subject to the further



conditions:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) One of the bailors will be a family member/close relative.

(iii) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay preferably within a period of two weeks.

8. The learned court below is directed to accept the bail bonds of the petitioner showing receipt of deposit of the aforesaid amount in the Mahavir Cancer Sansthan, Patna.

(Soni Shrivastava, J)

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