

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3831 of 2025

Arising Out of PS. Case No.-83 Year-2024 Thana- JADIA District- Supaul

Pappu Kumar S/O Arjun Sah, R/o Tituaha, Ward No. 12, P.S- Tribeniganj,
Distt.- Supaul.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandra Shekhar Kumar Singh, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 28-01-2025 Heard Mr. Chandra Shekhar Kumar Singh, the
learned counsel for the petitioner and Mr. Bhanu Pratap, the
learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since
24.10.2024, in connection with Jadia P.S. Case No. 83 of 2024,
FIR dated 26.05.2024, registered for the offences punishable
under Section 30(a) of the Bihar Prohibition & Excise Act.

3. Recovery is of 112.92 litres of foreign liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case and the allegation levelled in the
FIR is false and fabricated and the petitioner has not committed
any offence as alleged in the FIR. He further submits that from
perusal of the FIR, it appears that recovery has been made from
the vehicle in question and petitioner is neither the owner nor



the driver of the vehicle in question. He further submits that similarly situated co-accused person namely, Bablu Kumar has been granted bail by this Court vide order dated 25.09.2024 passed in Cr. Misc. No. 67544 of 2024. He lastly submits that the police after investigation has submitted the charge sheet against the petitioner and the petitioner is in custody since 24.10.2024.

5. The learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and mainly the facts that petitioner has clean antecedent, nothing has been recovered from the conscious possession of the petitioner, petitioner's name transpired on the basis of suspicion and similarly situated co-accused person has been granted bail by this Court, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten Thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise, Court No. 1, Supaul, in connection with **Jadia P.S. Case No. 83 of 2024**, subject to the following conditions:

(i). Petitioner shall co-operate in the trial and shall



be properly represented on each and every date fixed by the learned trial Court and shall remain physically present as directed by the learned trial Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the learned trial Court.

(ii). If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(iii). And further condition that the learned trial Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the learned trial Court shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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