

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11223 of 2026

Arising Out of PS. Case No.-438 Year-2022 Thana- JAGDISHPUR District- Bhagalpur

sonu @ Santosh Kumar @ Santosh Ramdas, Son of Radheshyam Ramdas,
Resident Of Village- Baksara Godda, Ps- Godda, District -Godda Jharkhand

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Raj, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 17-02-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner apprehends his arrest in connection with Jagdishpur P.S. Case No. 438 of 2022 registered for the offences under Sections 30(a) of the Bihar Prohibition and Excise Amendment Act, 2016.

3. The prosecution case is to the effect that the police, on information, intercepted a Bolero vehicle and apprehended one person, namely, Nehal Kumar and on search total 115.200 liters of foreign liquor was recovered. The apprehended person disclosed the name of the petitioner to be liner in the present case.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the present case. It has



further been submitted that the petitioner was neither apprehended nor any recovery has been made from his conscious possession or from his house. It has next been submitted that only due to previous enmity, the name of the petitioner has been given in the present case. It has lastly been submitted that the petitioner has one criminal antecedent of similar nature.

5. Learned APP for the State has opposed the prayer for anticipatory bail.

6. Considering the facts and circumstances of the case and the submissions advanced on behalf of the parties, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(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 Jagdishpur P.S. Case No. 438 of 2022, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.



(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned Court below 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 court below 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.

7. Accordingly, the prayer for anticipatory bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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