

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13601 of 2026

Arising Out of PS. Case No.-4 Year-2016 Thana- GOPALPUR District- Gopalganj

Raj Kumar Bhagat @ Raj Kumar Singh Son of Gopichand Bhagat Resident of
Village- Shapur Pakdiyar, P.S.- Gopalgpur, District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Supriya Kumari, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Gopalgpur P.S. Case No. 4 of 2016 instituted for the offences
under Section 47(a) of the Bihar Prohibition and Excise Act.
And Sections 272, 273 of the Indian Penal Code.

3. Prosecution case, in short, is that on secret
information, police raided the *gumti* of the petitioner and
allegedly recovered 22 litres of illicit liquor.

4. Learned counsel for the petitioner submitted that
present case is the case of misuse of privilege of bail earlier
granted to the petitioner. Learned counsel further submitted that
cognizance in the present case was taken against the petitioner



on 06.02.2016 and on the same date, the petitioner was granted bail by the learned court below. It is further submitted that on 24.04.2018 the bail bonds of the petitioner was cancelled due to his non-appearance before the learned court below and Non-Bailable Warrant was issued against him. Learned counsel further submitted that petitioner had no knowledge that *pairvikar* had stopped pursuing the case and due to the said reason, the bail bonds of the petitioner got cancelled. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.01.2026 and has two criminal antecedents. Learned counsel further submitted that petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, the undertaking given by the petitioner as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the



like amount each to the satisfaction of Court below/concerned Court in connection with Gopalpur P.S. Case No. 4 of 2016, subject to the following conditions:

(I) One of the bailors shall be the petitioner's own or a close family member.

(II) The petitioner shall appear on each and every date fixed during the trial and shall not remain absent on two consecutive dates without sufficient cause.

(III) The petitioner shall not tamper with the prosecution evidence or influence/intimidate any witness during the course of trial.

(IV) The petitioner shall not commit any offence of a similar nature in future.

In case of violation of any of the aforesaid conditions, the Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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