

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24182 of 2026

Arising Out of PS. Case No.-426 Year-2020 Thana- FORBESGANJ District- Araria

Monu Kumar @ Monu Kumar Sah S/O Parmeshwar Sah R/O - Thumha,
Ward No.- 9, P.s- Pipra, Disrict- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dheeraj Kumar, Advocate

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 15-04-2026 Heard Mr. Dheeraj Kumar, learned counsel for the

petitioner and Mr. Pradeep Narain Kumar, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
13.11.2025 in connection with Forbesganj (Simraha) P.S. Case
No. 426 of 2020, F.I.R. dated 03.06.2020 for the offences
punishable under Section 30(a), 38(i) of the Bihar Prohibition
and Excise Act, 2018.

3. Recovery is of 353.500 liters of illicit liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The petitioner has been made
accused merely on the basis of disclosure made by apprehended
co-accused person, namely, Sunil Kumar Sah and he stated that



he along with the petitioner had fled away from the place of occurrence. It appears from the FIR that nothing has been recovered from conscious possession of the petitioner rather the recovery has been made from vehicle in question and petitioner has no concern at all with the alleged recovery of liquor or the vehicle in question and said Sunil Kumar Sah has been granted the privilege of bail by the co-ordinate Bench of this Court vide order dated 10.12.2020 in Cr. Misc. No. 26260 of 2020. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 13.11.2025.

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

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and petitioner has been made accused merely on the basis of disclosure made by apprehended co-accused person, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge Excise, court No.1, Araria in connection with Forbesganj (Simraha) P.S. Case No. 426 of 2020, 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 court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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 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.

(Rajesh Kumar Verma, J)

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