

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23108 of 2026

Arising Out of PS. Case No.-285 Year-2025 Thana- GOPALPUR District- Gopalganj

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Sandesh Singh Son of Ashok Singh R/o- Sangwadih-Gaddi Tola, P.S.-
Gopalpur, District - Gopalganj, Bihar. Petitioner/s

Versus

The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Singh, Advocate

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 08-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with
Gopalpur P.S. Case No.285 of 2025 registered for the offence
punishable under Section 30(a) of the Bihar Prohibition and
Excise (Amendment) Act.

3. The case of the prosecution, in short, is that from a
bike altogether 45 liters of country made liquor was recovered.
The case of the prosecution is that one man was going on a bike
and seeing the police he fled away leaving the bike and the
recovery has been made from the bike.

4. Learned counsel appearing on behalf of the petitioner
has submitted that no recovery has been made from the possession
of this petitioner. Learned counsel for the petitioner has further
submitted that the witnesses of the seizure list are police personnel
and police has not complied Section 105 of the BNSS while



making seizure. It has further been submitted that the name of this petitioner has surfaced in the statement of local chowkidar. Learned counsel for the petitioner has submitted that the petitioner is in judicial custody since 13.12.2025.

5. The application for bail is opposed by learned APP for the State. Learned APP has submitted that the petitioner is having criminal antecedent of two cases of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail *with the condition that the petitioner shall not indulge in similar nature of offences in future*. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned District & Additional Sessions Judge-IV-cum-Exclusive Special Excise Court-II, Gopalganj in connection with Gopalpur P.S. Case No.285 of 2025.

(Ashok Kumar Pandey, J)

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