

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70921 of 2025

Arising Out of PS. Case No.-354 Year-2023 Thana- DURGAWATI District- Kaimur (Bhabua)

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Sajid, S/o Mohammad Aslam, R/o Village- Islamnagar, P.O.+P.S- Nurpur,
Distt.- Bijnor (U.P.).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sarfraz Ahmad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY

ORAL ORDER

4 06-01-2026 This is second attempt on behalf of the petitioner
for grant of bail.

2. Heard the learned counsel for the petitioner and
the learned Addl. Public Prosecutor for the State.

3. The petitioner, who is in custody, seeks bail in
connection with Durgawati P.S. Case No. 354 of 2023 registered
for the offence(s) punishable under Section(s) 30(a) of the Bihar
Prohibition and Excise Act.

4. As per the prosecution case, the police, during



the course of vehicle checking, recovered 6069.960 liters of foreign liquor from a truck.

5. The learned counsel for the petitioner submits that the petitioner is the owner of the truck from where such recovery has been made and he has not been arrested at the spot. The learned counsel, at the outset, submits that earlier this Court *vide* order dated 08.05.2025 passed in Cr. Misc. No. 7556 of 2025 has granted liberty to the petitioner to renew his prayer for grant of bail after four months. It has further been submitted that the petitioner has clean antecedent and he is in custody since 19.12.2024.

6. The learned Addl. Public Prosecutor for the State has vehemently opposed the prayer for bail.

7. Regard being had to the facts and circumstances of the case and the period of custody of the petitioner, let the petitioner, above-named, be released on bail on his furnishing bail bond 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 Durgawati P.S. Case No. 354 of 2023, subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative and the other shall be a local resident.



(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

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

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

(v) The concerned Court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that he has concealed his criminal antecedent, the Court concerned shall take necessary steps for cancellation of his bail bond. However, the acceptance of bail bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

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

9. The application stands allowed.

(Sourendra Pandey, J)

Praveen-II/-

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