

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75864 of 2025

Arising Out of PS. Case No.-101 Year-2025 Thana- BALIGAON District- Vaishali

Tilak Raj Son of Sitaram R/O- B.P.O. Jalmul, P.S.- Unna, District- Unna
(Himachal Pradesh)

... .. Petitioner/s

Versus

The State of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 08-01-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Baligaon P.S. Case No. 101 of 2025 registered for the offence(s) punishable under Section(s) 30(a), 32(ii), 41(i) and 36 of the Bihar Prohibition and Excise Act and Sections 25(1-B)(a), 26 and 35 of the Arms Act.

3. As per the prosecution case, the police received a secret information and intercepted the three vehicles and total 2311.380 litres of illicit Indian made foreign liquor was recovered from the same. It is further alleged that the three persons were apprehended from the place of occurrence.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this



case. It has next been submitted that the petitioner is said to be the driver of the truck. Learned counsel has further submitted that the petitioner happens to be the driver of the truck from which the liquor was seized. It has further been submitted that no incriminating article has been recovered from the conscious possession of the petitioner rather the same was recovered from the vehicle and he was just obeying the order of his master and he was not aware of the consignment kept on the truck. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 19.06.2025.

5. The petitioner is willing and undertakes to deposit a sum of Rs. 2500/- in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code : IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

6. The learned A.P.P. for the State has vehemently opposed the prayer for bail of the petitioner.

7. Regard being had to the facts and circumstances of the case and taking note of the fact that the period of judicial custody of the petitioner, 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 court below where the case is pending/successor court in connection Baligaon P.S. Case No. 101 of 2025, subject to the following terms and conditions :-

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

(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 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, 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 trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. 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. The bail bond of the petitioner shall be accepted by the learned Trial Court on showing receipt of deposit of aforesaid amount with the Lawyers' Association Welfare Benevolent Fund.

9. Accordingly, the prayer for bail is allowed.

10. 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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