IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77069 of 2026

CNR No. BRHC011124862026

Arising Out of PS. Case No.-22 Year-2022 Thana- SAUR BAZAR District- Saharsa

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Sadanand Kumar Son of Makhan Rajak Resident of Village - Sahasram, Ward No. - 16, P.S. - Patarghat, District - Saharsa.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Arun Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE KUMAR MANISH

ORAL ORDER

2 28-10-2026 Heard learned counsel for the petitioner and learned APP on behalf of the State.

2. This is an application for grant of regular bail to the petitioner who has been made accused in connection with Sour Bazar P.S. Case No. 22 of 2022 registered for the offences punishable under Section 414 of Indian Penal Code and Sections 30(a) and 41 of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is a recovery of 172.8 litres of foreign liquor from various vehicles and 51.84 litres of foreign liquor from Bajaj Maxima tempo, which belongs to the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is quite innocent, has committed no offence and has

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falsely been implicated in this case due to local party politics.

5. It is further submitted that the petitioner is not named in the FIR and has been implicated in this case only because he is the owner of the said tempo. The petitioner was neither apprehended at the place of occurrence nor any incriminating recovery has been made from the conscious possession of the petitioner. The petitioner had no knowledge of the alleged recovery from the tempo nor he had given consent to use his tempo for transportation of illegal liquor. Also, no material has come against the petitioner during the course of investigation.

6. It is further stated that the diver of the seized tempo has already been granted bail. The petitioner is languishing in judicial custody since 18.07.2026 and having four similar antecedents in which he is on bail. Charge sheet has already been filed.

7. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case, the period of custody as also taking into consideration the materials available on record, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the

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satisfaction of learned Exclusive Special Excise- II, Saharsa in connection with Sour Bazar P.S. Case No. 22 of 2022, subject to following conditions:-

(i) one of the bailors should be the family member/close relative of the petitioner.

(ii) the petitioner shall co-operate in trial and will remain present on all dates personally or should be duly represented through his counsel and whenever required to be physically present by the court, he should physically appear in the court on that date.

(iii) 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.

(iv) The trial court shall verify the criminal antecedent of the petitioner and if at any stage, it is found that the petitioner has concealed his criminal antecedent, the trial court shall take steps for cancellation of the bail bonds of the petitioner. However, the acceptance of bail-bond shall not be delayed in name of verification.

(Kumar Manish, J)

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