

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81277 of 2025

Arising Out of PS. Case No.-219 Year-2025 Thana- SARAI District- Vaishali

Sandeep S/o Baljeet R/o village - Sandhi, P.S - Rohtak Sadar, District -
Rohtak, State - Haryana

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 06-01-2026 Heard the learned counsel for the petitioner and
learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Sarai P.S. Case No. 219 of 2025 registered for the offence(s) punishable under Section(s) 30(a), 32(2), 36, and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police on the basis of secret information, intercepted a truck and upon search, recovered a total of 6,228.360 litres of illicit liquor from the said truck. One person was apprehended at the spot, who disclosed his name as Sandeep (the petitioner).

4. The learned counsel for the petitioner submits that the petitioner was merely the driver of the truck and had no

concern whatsoever with the consignment loaded therein. It is further submitted that the petitioner was obeying the order of his master and was not aware of the nature of the consignment carried in the truck. It is contended that the petitioner is a bona fide person and had no knowledge of the illicit liquor allegedly recovered by the police from the truck. The learned counsel lastly submits that the petitioner has clean antecedent and he is in custody since 21.08.2025.

5. The learned A.P.P. has vehemently opposed the prayer for bail.

6. Regard being had to the facts and circumstances of the case and taking note of the fact that the petitioner has remained in custody since 21.08.2025, 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 Sarai P.S. Case No. 219 of 2025, subject to the following conditions:-

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

(ii) The petitioner shall remain physically present in Court on each date of the trial.

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

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

8. 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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