

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89063 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- BYPASS District- Patna

1. Kumar Shanu S/O Gajendra Kumar Mahta Resident of Chainpura, P.S- Bypass, District- Patna.
2. Ravi Prakash S/O Deepak Kumar Resident of Chainpura, P.S- Bypass, District- Patna.
3. Prashant Mehta S/O Pravesh Kumar R/O Bahari Dhawal Pura, P.S- Bypass, Dist.- Patna.

... .. petitioners/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the petitioners/s : Mr. Saurabh Sinha, Advocate

For the Opposite Party/s : Mr. Chandra Sen Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-01-2026 Heard Mr. Saurabh Sinha, learned counsel for the petitioners and Mr. Chandra Sen Prasad Singh, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Bypass P.S. Case No. 124 of 2025, F.I.R dated 16.03.2025 registered for the offences punishable under Section 52 of Bihar Prohibition and Excise (Amendment) Act and Sections 292, 352 and 3(5) of the BNS, 2023.

3. According to prosecution case, the informant being the SHO received some photos and videos where one Manoj Mehta and three other persons were found in drunken



condition.

4. Learned counsel for the petitioners submits that petitioners have clean antecedent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R is false and fabricated and the petitioners have not committed any offence as alleged in the F.I.R and on the basis of the video footage the present case has been instituted against these petitioners and other accused persons. He further submits that the name of the petitioners have been transpired on the basis of suspicion. Apart from that the petitioners are not named in the F.I.R.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners.

6. Considering the aforesaid facts and circumstances that the petitioners have clean antecedent, petitioners are not named in the F.I.R and name of the petitioners have been transpired on the basis of suspicion, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special



Court of Excise Patna City in connection with Bypass P.S. Case No. 124 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajesh Kumar Verma, J)

Vanisha/-

U		T	
---	--	---	--

