

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89638 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Ramdas Rai Ka Dera District- Buxar

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Jitendra Kumar S/o Suresh Ray R/o Pump House, Punaichak, P.s.- Shastri Nagar, Distt.- Patna, Bihar. Permanent address - vill - Alamnagar, P.s.- Alamnagar, Distt.- Madhepura, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjit Jha, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 07-01-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. Petitioner, who is in custody, seeks bail in connection with Ram Das Rai ke Dera P.S. Case No. 35 of 2025 registered for the offence(s) punishable under Section(s) 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, on the basis of secret information that a consignment of liquor was being transported in various vehicles, the police intercepted the same and recovered a total of 230.14 litres of various foreign liquor. A car and a mobile phone were also recovered from the co-accused, namely, Vinay Kumar, who

was apprehended at the spot.

4. The learned counsel for the petitioner submits that the petitioner is a worker and was working as a labourer, having no concern whatsoever with the recovered illicit liquor. It is further submitted that the petitioner is not the owner of the Brezza car from which the alleged recovery was made. It is also submitted that the co-accused, namely, Vinay Kumar, has already been enlarged on bail by a coordinate Bench of this Hon'ble Court vide order dated 07.10.2025 passed in Cr. Misc. No. 69705 of 2025. Lastly, the learned counsel submits that the petitioner has one criminal antecedent of similar nature and he is in custody since 22.08.2025.

5. The petitioner is willing and undertakes to deposit a sum of Rs. 2,500/- with the Advocate Association, Patna High Court.

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

7. 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 22.08.2025, 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 Ram Das Rai ke Dera P.S. Case No. 35 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.

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 Advocate Association, Patna High Court.

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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