

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89334 of 2025

Arising Out of PS. Case No.-517 Year-2021 Thana- FATUA District- Patna

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Suman Kumar @ Soman Kumar @ Suman Gop @ Suman Kumar Gop S/o
Chandev Yadav @ Indradev Yadav @ Chandradev Yadav Resident of -
Bhagwanpur, P.S - Fatuha, Current, P.S - Pachrukhiya, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Rai, Adv.

For the Opposite Party/s : Mr.Pronoti Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 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 Fatuha P.S. Case No. 517 of 2021 registered for the offence(s) punishable under Section(s) 30(a) and 56(c) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the recovery of 25 litres of liquor (*mahua*) from a motorcycle parked outside of the house of the petitioner.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that the recovery has been made from outside the house of the petitioner which is an open



place and accessible to anyone. It has further been submitted that no recovery has been made from the conscious possession of the petitioner. It has lastly been submitted that the petitioner has five criminal antecedents which is of similar nature and he is in custody since 04.11.2025.

5. The petitioner is willing and undertakes to deposit a sum of Rs. 10,000/- with the Advocate Association, Patna High Court.

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 petitioner has remained in custody since 04.11.2025, 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 Fatuha P.S. Case No. 517 of 2021, 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.

(vi) In view of the antecedents of the petitioner, the petitioner is directed to appear before the Superintendent of Police, Patna within fifteen (15) days of his release with a copy of this order and every two weeks thereafter for the next nine months. The conduct of the petitioner will be kept under watch in this period by the concerned Superintendent of Police and if it is found wanting in any respect, a report shall be made to the Court concerned by him to initiate a proceeding for cancellation of bail



of the petitioner for reasons of misuse of bail. After reporting to the Superintendent of Police, a certificate will be filed by the petitioner before the Court concerned.

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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