

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89866 of 2025

Arising Out of PS. Case No.-205 Year-2025 Thana- VISHAMBHARPUR District- Gopalganj

1. Hemant Goha S/o Pradeep Goha R/o vill - S. 167/402 Harijan Basti Antaram Devi, R.K. Puram, Sector 13, P.S.- Sarojani Nagar, Distt.- New Delhi
2. Manoj Singh @ Manoj Kumar S/o Kamal Singh R/o vill - RC 170 Matrika Vihar, P.S.- Khora Colony, Distt.- Gajiyabad, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pandey, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 08-01-2026 Heard the learned counsel for the petitioners and
learned APP for the State.

2. Petitioners, who are in custody, seeks bail in connection with Vishambharpur P.S. Case No. 205 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, during patrolling, the police intercepted a car, whereupon the accused persons tried to flee but were apprehended and they disclosed their names as Hemant Goha and Manoj Singh (the petitioners). Upon search, a total of 309.975 litres of liquor was



recovered from the said car.

4. The learned counsel for the petitioners submit that the petitioners have been falsely implicated in the present case and have no concern whatsoever with the alleged trade of liquor. It has further been submitted that the petitioners are neither the owners of the car from which the alleged illicit liquor was recovered nor were they found in conscious possession of the same. The learned counsel lastly submits that the petitioners have clean antecedent and they are in custody since 16.10.2025.

5. The petitioners are willing and undertakes to deposit a sum of Rs. 2,500/- each in the account of Lawyers' Association Welfare Benevolent Fund, bearing Account No. 7801893276, IFSC Code: IDIB000L501, Indian Bank, LNMI Branch, Bailey Road, Patna.

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, let the petitioners, 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 Vishambharpur P.S. Case No. 205 of 2025, subject to the following conditions:-

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

(ii) The petitioners 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 petitioners will be liable to be cancelled by the court concerned.

(iv) If the petitioners are 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 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.

8. The bail bond of the petitioners shall be accepted by the learned Trial Court on showing receipt of deposit of aforesaid amount with the Lawyers’ Association Welfare Benevolent Fund.

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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