

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2821 of 2025

Arising Out of PS. Case No.-368 Year-2023 Thana- PHULWARIYA District- Gopalganj

Durgesh Ram, Male, aged about 25 years, Son of Hira Ram, Resident of
Maheshpur, Jamunaha Chhitauna, P.S.- Kateya, Distt.- Gopalganj

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Deepankar Raj, Advocate
For the Opposite Party : Mr. Akshay Lal Pandit, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 20-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Phulwariya P.S. Case No. 368 of 2023 dated 17.10.2023
registered for the offences punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2022.

3. As per the prosecution case, total 103.400 litres of
country made liquor is said to have been recovered from the
sack loaded on the motorcycle.

4. Learned counsel for the petitioner has submitted that
the petitioner is innocent and has falsely been implicated in the
present case. No incriminating article has been recovered from
his possession. The petitioner is neither the owner of the



motorcycle in question nor he has any connection with the seized liquor. He was not arrested on the spot. His name has come in the present case on the basis of the disclosure made by the local people and the local Chaukidar. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 16.11.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-XIII-cum-Exclusive Special Excise Court-I, Gopalganj in connection with Phulwariya P.S. Case No. 368 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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