

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5032 of 2025

Arising Out of PS. Case No.-711 Year-2024 Thana- Excise P.S. District- Gopalganj

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Gena Ram S/O Ummeda Ram Ro Chadal Bankarsar, P.S.- Ramsar, Dist.-
Barmer, Rajasthan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sumit Shekhar Pandey, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 22-03-2025 Heard Mr. Sumit Shekhar Pandey, learned counsel for

the petitioner and Ms. Renu Kumari, learned APP for the

State. Perused the case diary.

2. The petitioner seeks bail in connection with

Excise PS Case No. 711 of 2024 instituted for the offences

under Sections 30(a) and 32 of the Bihar Prohibition and

Excise Act.

3. The prosecution case, in short, is that total

8882.220 litres of foreign liquor was recovered from

Container vehicle.

4. Learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

the present case. No incriminating material has been



recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. It is submitted that petitioner is the driver of the seized vehicle and he has no knowledge regarding the nature of goods booked by the transporter. It is further submitted that the name of the petitioner has transpired on secret information. The petitioner is in custody since 12.09.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise PS Case No. 711 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of



the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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