

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.8429 of 2025**

Arising Out of PS. Case No.-37 Year-2024 Thana- PATHAMARI District- Kishanganj

Gopal Kumar Son of Dinesh Thakur Resident of Village- Gopinathpur  
Doghra, P.S.- Saraiya, Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ratneshwar Prasad, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

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

ORAL ORDER

2      18-02-2025              Heard learned counsel for the petitioner and learned  
APP for the State.

2.      The petitioner seeks bail in connection with  
Pathamari PS Case No. 37 of 2024, Special Case No. 334 of  
2024 instituted for the offences under Section 30(a) of the  
Bihar Prohibition and Excise Act.

3.      The prosecution case, in short, is that total  
1769.67 litres of liquor was recovered from Mahindra  
Bolero Pick-up.

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 co-driver of the seized vehicle bearing Registration No. BR06GF-8412 and he has no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 25.12.2024 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 Pathamari PS Case No. 37 of 2024, Special Case No. 334 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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