

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13746 of 2025

Arising Out of PS. Case No.-104 Year-2021 Thana- GOVERNMENT OFFICIAL COMP.
District- Gopalganj

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Aman Rai S/O Devendra Ray Village- Sher, Ward No. 08, P.S.- Sidhwalia,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Advocate

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

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

ORAL ORDER

2 03-03-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Excise PS Case No. 104 of 2021 instituted for the offences
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total
23.40 litres of country made liquor and 15 litres of spirit
was recovered from the house of the petitioner.

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 recovery is made from the joint house of the petitioner where the other family members also reside. It is further submitted that the name of the petitioner has transpired on secret information. The petitioner is in custody since 21.12.2024 and has got five criminal antecedents in which he is on bail. 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 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, *after framing of charge if not already framed* 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. 104 of 2021, 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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