

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18890 of 2025

Arising Out of PS. Case No.-389 Year-2024 Thana- KALYANPUR District- East Champaran

Mahesh Ram S/o Sirchan Ram Resident of village- Devpur Parsa, P.S.-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abbhishek Kumar, Adv.

For the Opposite Party/s : Ms.Shaheen Begum, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner apprehends arrest in connection with
Kalayanpur PS Case No. 389 of 2024 dated 22-11-2024,
instituted under Section 30(a) of the Bihar Prohibition and
Excise Act.

3. The allegation is of the recovery of 10 litres of
illicit country-made liquor from a bag thrown by the petitioner
and one of the co-accused, Madan Ram was arrested at the spot
with 5 litres country made liquor.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and he has been falsely implicated in the
present case. The petitioner was not arrested at the spot, and
nothing incriminating has been recovered from his conscious or
constructive possession rather the 10 litres of country-made



liquor was recovered from a bag which does not belong to the petitioner. He has been made an accused in the present case merely on the basis of the confessional statement of the apprehended co-accused person, namely Madan Ram. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP has opposed the prayer for bail.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Court No.03, Motihari, East Champaran, in Kalayanpur PS Case No. 389 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita 2023.

7. The application stands allowed.

(Khatim Reza, J)

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