

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.20216 of 2025**

Arising Out of PS. Case No.-395 Year-2023 Thana- SAHPUR District- Bhojpur

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Gordhan Ram Son of Late Ameda Ram @ Late Abhaya Ram @ Late Ramdeo Singh Resident of village - Gananiya Ka Tola (Dudu), P.S.- Modsa (Dhorimana), Dist.- Barmer (Rajasthan)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Ms. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Surendra Prasad Singh, APP

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

ORAL ORDER

2      03-04-2025                      Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Sahpur P.S. Case No. 395 of 2023, instituted for the offences punishable under Sections 419, 420, 467, 468, 471, 120(B), 34 of the Indian Penal Code read with Sections 30(a), 32(1)(2), 36 and 41(1)(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that, 7092.36 liters liquor was recovered from truck.

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. Learned counsel for the petitioner also submits that the petitioner was not present at the place of occurrence. Name of the petitioner has transpired as being owner of the vehicle in question and he has no knowledge regarding the goods transported in his vehicle. The petitioner is in custody since 11.07.2024 and has got one criminal antecedent in which he is on bail. Learned counsel for the petitioner further submitted that similarly situated co-accused has been granted regular bail by a Co-ordinate Bench of this Court vide order dated 11.01.2024 passed in Cr. Misc. No. 15824 of 2023. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

5. Learned APP 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 on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sahpur P.S. Case No. 395 of 2023, 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)**

Rajorshi/-

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