

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20368 of 2025

Arising Out of PS. Case No.-202 Year-2017 Thana- KIUL RAIL P.S. District- Lakhisarai

Prem Kumar Ray Son of Anandi Ray village- Jitbar Bullechak, Ps-
Samastipur, Dist- Samastipur

... .. Petitioner/s

Versus

The State of Bihar bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Prasad

For the Opposite Party/s : Mr.Pronoti Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with G.R.P.S. Rail P.S. Kiul Case No. 202/2017 dated 09.09.2017 registered for the offences punishable u/s 30(a), 38(1) and 37(c) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 12 litres of illicit foreign liquor was recovered from the possession of the petitioner. Further, the petitioner was apprehended and was tested for intent to consume alcohol and with the help of breath analyser, 0.47 mg of alcohol was found.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. Learned counsel has submitted that it is first misuse of privilege of bail. The petitioner was present in the court on 12.01.2024 but he was not present in the court on 18.03.2024 and 12.06.2024 due to illness. Therefore, learned court below cancelled the bail bond of the petitioner. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 03.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Lakhisarai in connection with G.R.P.S. Rail P.S. Kiul Case No. 202/2017, with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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