

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25016 of 2025

Arising Out of PS. Case No.-645 Year-2021 Thana- ALAMGANJ District- Patna

Mantu Ram Son of Lt. Ganauri Ram R/O- Gaay Ghat, Kaali Sthan, Alamganj,
P.S.- Alamganj, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 07-07-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 30(a), 37(c), 38(2) and 41(1) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, the police conducted a raid and apprehended certain persons from whom it is stated that 470 litres of illicit country-made liquor was recovered from the house of the co-accused Ajay Kumar while 268 litres of illicit country-made liquor was recovered from the co-accused Arti Devi's house and 1 litres was recovered from the house of the co-accused Akash Kumar. It is further alleged that four persons were found to be intoxicated, thereafter, a breath analyzer test was conducted and BAC 78.5 mg/100 ml was detected from the



body of the petitioner Mantu Ram.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that no recovery of illicit liquor has been made from the possession of the petitioner, however, the only allegation against him is that he was intoxicated and was apprehended from the place of occurrence. Learned counsel for the petitioner has submitted that the petitioner is in custody since 26.09.2021 and this is the first bail application being filed on his behalf that too at the behest of the N.G.O., namely, The Law Foundation and the affidavit has been sworn by a social worker and director of the said N.G.O. It is lastly submitted that the petitioner has no criminal antecedent and is in custody for almost four years.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and also considering the period of custody, let the petitioner above-named, be enlarged 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 learned Court concerned, Patna in connection with Alamganj P.S. Case No.



645 of 2021, subject to the following conditions:-

(i) One of the bailors will be close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

(v) The learned Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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