

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26655 of 2025

Arising Out of PS. Case No.-488 Year-2024 Thana- Excise P.S. District- Sheikhpura

Hari Kant Ram @ Bhagat @ Hari Kanta Ram, aged about 48 years, Male,
S/O Nawal Kishore Ram @ Nandlal Ram @ Bal Kishore Ram @ Nawal
Kishore, Resident of Village- Murapur, Police Station- Korma, Dist.-
Sheikhpura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nirmal Kumar, Advocate

For the Opposite Party : Mr. Dr. Kumar Uday Pratap, A.P.P.

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

ORAL ORDER

2 26-06-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Sheikhpura Excise P.S. Case No. 488 of 2024 dated 03.02.2024
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 35.500 litres of
illicit country made liquor kept in a jerkin and other articles for
preparing the illegal liquor was recovered near the bank of canal
to the south of Jamalpur. The police apprehended the co-accused
Sachin Kumar and Balmiki Manjhi and the apprehended persons
disclosed the name of the petitioner as fleeing person from the



place of occurrence.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the name of the petitioner has surfaced in the present case on the basis of the disclosure made by the co-accused persons Sachin Kumar and Balmiki Manjhi. No incriminating article has been recovered from the possession of the petitioner. It is further submitted that the alleged seized liquor and other articles for preparing of the illegal liquor does not belong to the petitioner. He has no concern with the alleged offence. It is further submitted that the co-accused persons, Sachin Kumar and Balmiki Manjhi have already been granted bail by a Bench of this Court in Cr. Misc. No. 1764 of 2025 vide order dated 19.02.2025. The petitioner has fifteen (15) criminal antecedents as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 06.03.2025.

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 Special
Excise Judge, Sheikhpura in connection with Sheikhpura Excise
P.S. Case No. 488 of 2024 with further conditions:-

(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 are
liable to be cancelled.

II. If the petitioner is found involved in any
other criminal case in future, his bail bond is
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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