

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31995 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- Excise P.S. District- Gopalganj

Raj Kumar S/O Late Jagdish Shah R/O Village Akhada Ghat, Muzaffarpur,
P.S.- Muzaffarpur(Town), Distt.- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Shukla, Adv

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 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 Excise P.S. Case No. 126 of 2025 registered for the offences punishable u/s 30(a) and 32 of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 80.010 litres of illicit foreign liquor was recovered from the dicky of the four wheeler.

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 the petitioner has no concern with the alleged recovery. It is next submitted that no incriminating article has been recovered from the conscious



possession of the petitioner. It is lastly submitted that the petitioner has two criminal antecedents and is in custody since 01.03.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that the petitioner is involved in the trading of the illicit liquor and he carries two criminal antecedents of similar nature of offence.

6. Considering the aforesaid submissions of the parties and taking into account the fact that no incriminating article has been recovered from the conscious possession of the petitioner and also considering the period of custody, let the petitioner above-named, be enlarged on bail, on deposition of a sum of Rs. 10,000/- to the Patna High Court Legal Services Committee, Patna, and an acknowledgment receipt be submitted before the learned Court below prior to the furnishing of bail-bond and thereafter 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, Gopalganj, in connection with Excise P.S. Case No. 126 of 2025, 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. Accordingly, the application stands allowed.

(Sourendra Pandey, J)

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