

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33082 of 2025

Arising Out of PS. Case No.-10 Year-2025 Thana- PUNPUN District- Patna

Prem Kumar S/O Upendra Ram @ Upendra Kumar Village- Kharasin, P.S.-
Karpi, Dist.- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Sharan, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Punpun P.S. Case No. 10/2025 registered for the offences under
Section 30(a) of Bihar Prohibition & Excise (Amendment) Act,
2022.

3. As per the prosecution case, the police got a secret
information that wine was being transported on a scooty. After
chase, the police arrested one person who disclosed his name as
Prem Kumar(petitioner). Upon search, 100 litres of country-
made *mahua* was recovered from the said scooty.

4. Learned counsel for the petitioner/ submits that
petitioner is innocent and has falsely been implicated in this
case merely on the ground of suspicion. Learned counsel further



submits that nothing has been recovered from the conscious possession of the petitioner. It is lastly submitted that the petitioner has one criminal antecedent in which he is on bail and is in custody since 11.01.2025.

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

6. Considering the aforesaid facts and circumstances of the case and taking into account that petitioner has one criminal antecedent, but not of similar nature, let the petitioner above-named be enlarged on bail on deposition of a sum of Rs. 5,000/- 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 bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Spl. Judge, Excise Act, Patna in connection with Punpun P.S. Case No. 10/2025 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.



- c. The petitioner shall not approach the informant or any of the family members or the victim girl to either coerce or threaten during the pendency of the trial.
- d. 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 the cancelled by the court concerned.
- e. The 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 aforementioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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