

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32021 of 2025

Arising Out of PS. Case No.-300 Year-2025 Thana- Excise P.S. District- East Champaran

Dilip Ram S/o Suresh Ram Resident of village- Mangalpur Telua, Ward No. 15, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Sangeeta Sharma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 21-05-2025 Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Excise P.S. Case No. 300 of 2025, registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act, 2018. Petitioner has clean antecedent.

3. As per the prosecution case the informant saw a vehicle coming towards Chhapra and when the same was intercepted the driver disclosed his name as Dilip Ram (petitioner) and on the search of the vehicle around 86.400 liters of foreign liquor was recovered from the dicky of the said car.



4. The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated and he happens to be the driver-cum-owner of the said car. Learned counsel for the petitioner further submits that no such recovery which has been shown in the FIR was made. It has been submitted that the police with ulterior motive has implicated the petitioner in the present case. The learned counsel also submits that there is no independent witness to the seizure list and the police has already submitted the chargesheet of this case. Lastly, it has been submitted that the petitioner has clean antecedent and is in custody since 02.03.2025.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail and has stated that 86.400 liters have been recovered from the car owned by the petitioner.

6. Considering the aforesaid submissions made by the respective parties and taking into account that there is no independent witness to the seizure and the chargesheet has already been submitted, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.

8. Let the petitioner, above named, be released 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 bail bond and thereafter on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the court of learned Exclusive Special Excise Court No. 02, East Champaran at Motihari, in connection with Excise P.S. Case No. 300 of 2025, subject to the following conditions:-

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

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(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 cancelled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall 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.

(Sourendra Pandey, J)

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