

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32643 of 2025

Arising Out of PS. Case No.-378 Year-2023 Thana- FATEHPUR District- Gaya

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Akhilesh Kumar S/O Chandeshwar Prasad @ Latto R/O-Village-
Kumbhiyatri, P.S- Fatehpur, District- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Onkar Nath, Advocate

For the Opposite Party/s : Mr. Gauri Shankar Gupta, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 22-05-2025 Heard Mr. Onkar Nath, learned counsel for the

petitioner and Mr. Gauri Shankar Gupta, learned APP for the

State.

2. The petitioner has prayed for bail in connection
with Fatehpur P.S. Case No. 378 of 2023 registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. The case of the prosecution is that from a bike,
altogether 400 liters of country made liquor was recovered.

4. Learned counsel appearing on behalf of the
petitioner has submitted that petitioner is innocent and has
committed no offence. He has been falsely implicated in this
case. He submits that the said bike does not belongs to the
petitioner rather registered document has been filed regarding



transfer of the bike in favour of the petitioner but that transfer is not in view of the Motor Vehicle Act. He further submits that the petitioner is languishing in judicial custody since 01.04.2025.

5. The application for bail is opposed by learned APP for the State and submits that the petitioner is having criminal antecedent of two cases of similar nature.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail **with a condition that the petitioner shall not indulge in similar nature of the offences in future.** The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No.4, Gaya in connection with Fathepur P.S. Case No. 378 of 2023.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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