

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33362 of 2025

Arising Out of PS. Case No.-107 Year-2025 Thana- EXCISE SHERGHATI District- Gaya

Sudhir Kumar S/o Satyendra Prajapati @ Satendra Parjapat R/o Village-
Jhaur, P.S.- Sherghati, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sinha

For the Opposite Party/s : Mr.Ram Naresh Ray

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner has prayed for bail in connection with Excise Sherghati P.S. Case No. 107 of 2025 registered for the offence punishable under sections 30(a) and 32(c) of the Bihar Prohibition and Excise Act.

3. As per allegation in the FIR, at the time of vehicle checking police intercepted a motorcycle and recovered 90 litres of country made liquor and petitioner was arrested on spot.

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 has got no criminal antecedent. He is not the registered owner of the motorcycle. Seizure list is not prepared in accordance with law as both the seizure list witnesses are not the independent witnesses rather they are police personnel. Moreover, petitioner is languishing in judicial custody since 03.04.2025.

5. Learned APP appearing for the State has opposed the prayer of Bail.

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 **after framing of charge**. 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. 03, Gaya in connection with Excise Sherghati P.S. Case No. 107 of 2025 with following conditions:

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

(ii) Petitioner shall co-operate in the trial and shall



be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bonds may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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