

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33538 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- Excise P.S. District- Samastipur

Ram Sujeet Kumar S/o Ramashary Mahto @ Ramashray Mahto R/o Village -
Madhutola , Ward no.- 09 , Police Station - Khanpur , District - Samastipur
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mahendra Pratap, Advocate
For the Opposite Party/s : Mrs. Asha Kumari, APP

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 preferred this application for grant of regular bail in connection with Sadar Excise P.S. Case No. 85 of 2025 registered for the offences punishable under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. Recovery of total 233.640 litres has been made from the seized Hyundai car bearing registration no. BR 02U 7951 which is the subject matter of the present case.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He has no concern with the alleged recovery or with the vehicle. Petitioner is neither the owner nor the driver of the seized vehicle. The alleged recovery is not from the conscious



possession of the petitioner rather it has been recovered from Hyundai car bearing registration no. BR 02U 7951 but merely on suspicion the name of the petitioner has been implicated in the present case. Petitioner is in custody since 27.03.2025.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Keeping in view the aforesaid facts and considering the period under custody, let the petitioner, above named, be released on bail **after framing of charge** on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Excise Court – II, Samastipur in connection with Sadar Excise P.S. Case No. 85 of 2025 subject to the following conditions :-

(i). Petitioner will remain physically present in trial on each and every date till the disposal of the case failing which, on two consecutive dates without reasonable cause, the bail bond of the petitioner may be cancelled by the Trial Court.

(ii). One of the bailor shall be his family member.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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