

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33300 of 2025

Arising Out of PS. Case No.-115 Year-2025 Thana- DIDARGANJ District- Patna

Pancha Rai @ Panchanand Rai S/o- Lagan Rai, R/o Village- Didarganj, Ward No. 72, PS- Didarganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kritu Verma, Advocate

For the Opposite Party/s : Ms. Rina Sinha, APP

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

ORAL ORDER

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

2. The petitioner seeks regular bail in connection with Didarganj P.S. Case No. 115 of 2025 dated 09.04.2025 instituted for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution story, 120 litres of illicit country made liquor has been recovered from a tempo near Ganga river.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to ulterior motive of local villagers and police personnel. The allegation levelled in the FIR is false and fabricated and the petitioner has not committed any offence as



alleged in the FIR. Petitioner was not arrested from the spot and no incriminating article has been recovered from his conscious possession. Petitioner was arrested from his house on 14.04.2025. Petitioner is a tractor driver carrying sand in Ganga-Diyara area and due to non-fulfillment of illegal demand of local police, petitioner has been implicated in this false case. Petitioner is in custody since 14.04.2025. Petitioner carries two criminal antecedents of similar nature as mentioned in paragraph no. 3 of the bail petition, however, he is on bail in both the cases. He lastly submits that after completion of investigation, chargesheet has been submitted against the petitioner.

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

6. Having heard the learned counsel for the parties and considering the facts and circumstances of the case as well as petitioner's period under custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed as yet**. Accordingly, let the petitioner, above-named, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise,



Patna City, in connection with **Didarganj P.S. Case No. 115 of 2025**, on further conditions:

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

(ii) Petitioner shall cooperate 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 bond may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

Shahnawaz/-

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