

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32757 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- DHANSOI District- Buxar

Krishna Kumar, Male, aged about 23 years, son of Ramesh Singh, resident of Village-Bhaluhi, Police Station-Mohania, District-Kaimur (Bhabhua), Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 33517 of 2025

Arising Out of PS. Case No.-46 Year-2025 Thana- DHANSOI District- Buxar

Ganesh Rajbhar, Male, aged about 41 years son of Late Banshi Rajbhar @ vanshi Rajbhar, Resident of Village-Bogana, Police Station-Mardah, District-Ghazipur, Uttar Pradesh.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 32757 of 2025)
For the Petitioner/s : Mr. Manish Rai Sharma, Advocate
For the Opposite Party/s: Mr. Akshay Lal Pandit, APP
(In CRIMINAL MISCELLANEOUS No. 33517 of 2025)
For the Petitioner/s : Mr. Manish Rai Sharma, Advocate
For the Opposite Party/s: Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the state.

2. The petitioners seek bail in connection with Dhan-
soi P.S. Case No. 46 of 2025 instituted for the offences under



Section 30(a) of the Bihar Prohibition and Excise Act. Petitioner, Krishna Kumar has one criminal antecedent and Petitioner, Ganesh Rajbhar has no criminal antecedent.

3. As per the FIR, the police received a secret information that a black colour vehicle loaded with liquor was coming from Kochas and taking swift action the police intercepted the vehicle and two persons tried to escape, however, they were apprehended and they disclosed their names as Ganesh Rajbhar and Krishna Kumar (Petitioners). On search, total 585 litres of illicit country-made liquor was recovered from the seized vehicle and mobile phones were recovered from the apprehended accused persons.

4. It is submitted by learned counsel for the petitioners that the petitioners have falsely been implicated in this case and as far as petitioner Krishna Kumar is concerned, he is neither the owner nor the driver of the said vehicle and he has no concerned whatsoever with the seized contraband articles while the petitioner namely Ganesh Rajbhar is concerned, he was merely a driver of the said vehicle. It is further submitted by learned counsel for the petitioner that no such recovery as alleged in the FIR has been made and admittedly the said liquor was found inside the vehicle of which the petitioner Ganesh Rajbhar is not



the owner. It is lastly submitted that the petitioner Krishna Kumar has one criminal case but not of similar nature while the petitioner Ganesh Rajbhar has clean antecedent and both the petitioners are in custody since 18.04.2025. Learned counsel for the petitioners undertakes to deposit a sum of Rs. 10,000/- each before the Patna High Court Legal Services Committee.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioners and has submitted that the illicit liquor has been recovered from the vehicle on which the petitioners were travelling.

6. Considering the aforesaid submissions of learned counsel as well as undertaking given by the petitioners and taking into account the fact that the petitioner, Krishna Kumar has one criminal case but not of similar nature while the petitioner Ganesh Rajbhar has clean antecedent and they are in custody since 18.04.2025, the petitioners above named, are directed to be released on bail on depositing a sum of Rs. 10,000/- (Ten Thousand) each before the Patna High Court Legal Services Committee and a receipt of the same shall be furnished before the learned court below at the time of furnishing bail bonds. Thereafter, they shall furnish bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to



the satisfaction of the learned Special Excise Judge-I, Buxar in connection with Dhansoi P.S. Case No. 46 of 2025, subject to the the following conditions:-

(i) One of the bailors will be a close relative of the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be canceled by the Court concerned.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name



of verification.

(Sourendra Pandey, J)

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