

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35696 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- MALAHI District- East Champaran

Dipu Kumar Son of Ram Nath Mahto VILLAGE- PURANDARPUR, P.S.
MALAHI, DISTRICT -EAST CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manjeet Kumar Mishra, Advocate

For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 28-05-2025 Heard learned Counsel for the petitioners and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with Malahi P.S. Case No. 85 of 2025 registered for the offence under Section 30(a) of the Bihar Prohibition & Excise (Amdt.) Act, 2022.

3. As per the prosecution case, 25.930 litres of English liquor was recovered from the motorcycle which was being driven by the petitioner and one another person has also been apprehended at the said place.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case. It has been stated that he is neither the owner of the motorcycle



nor he has any concern with the alleged liquor. It has lastly been submitted that the petitioner carries clean antecedent and he is in custody since 08.03.2025.

5. Learned APP for the State has opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions made by the learned counsel for the parties and taking into account that the petitioner has clean antecedent, 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 learned Exclusive Special Excise Court No.1, East Champaran, Motihari in connection Malahi P.S. Case No. 85 of 2025, subject to the conditions that:-

a. One of the bailors of the petitioner shall be his/her close relative.

b. The petitioner shall remain physically present in Court on each date of trial.

c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner in similar nature of offence, the bail bond of the petitioner will



be liable to be cancelled by the Court concerned.

d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bonds of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

e. If the petitioner is found involved in a similar nature of offence, the prosecution shall be at liberty to move the lower court for cancellation of bail.

(Sourendra Pandey, J)

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