

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33915 of 2025

Arising Out of PS. Case No.-505 Year-2025 Thana- Excise P.S. District- East Champaran

Umesh Ram S/o Late Harihar Ram R/o Village- Ralghunathpur, P.S.-
Raghunathpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kundan Rathore Alias Kundan Kumar

For the Opposite Party/s : Mr. Ashok Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 27-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Section 30(a) of the Bihar
Prohibition and Excise Amendment Act.

3. Perusal of the first information report and the
seizure list, would go to show that 40 liters of country made
liquor is said to have been recovered from the back seat of the
E-rickshaw and the petitioner is alleged to be the driver of the
said E-rickshaw and he along with one Prakash Choudhary, who
was the passenger, was apprehended on the spot.

4. It is submitted by learned counsel for the
petitioner that there is no recovery from the physical and
conscious possession of the petitioner and it would be apparent
from the FIR and the seizure list that the recovery was made



from the back seat of the E-rickshaw which was occupied by the passengers. Further, there is no independent witness to the seizure list and the petitioner has no criminal antecedent. The petitioner is in custody since 12.04.2025.

5. Learned APP for the State opposes the prayer for bail.

6. Taking into consideration the fact and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Excise P.S. Case 505 of 2025, subject to the further condition that:

(i) The petitioner shall cooperate in the investigation/trial.

(ii) The one of the bailors will be a family member/close relative.

(iii) The petitioner would appear before the learned Court below on each and every date till the charges are framed.

(iv) The court below shall verify the criminal antecedent of the petitioner and in case it is found that the



petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, it is expected that the verification process would be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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