

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43475 of 2025

Arising Out of PS. Case No.-362 Year-2024 Thana- UDWANTNAGAR District- Bhojpur

Ram Bhawan Kumar Son of Bikram Singh R/O Village - Dihari, P.S.- Udwant Nagar, District - Bhojpur (Bihar) At Present R/O Village - Asani, P.S.- Udwant Nagar, District - Bhojpur (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Singh, Adv.

For the Opposite Party/s : Mr. Rana Randhir Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 10-07-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Udwant Nagar P.S. Case No. 362 of 2024 instituted for the offences under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, the police has recovered total 60 liters of illicit liquor from the motorcycle.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. The petitioner is not named in the F.I.R. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The name of the petitioner has transpired in this case on the basis of



the confessional statement of the co-accused Vishwakarma recorded before the police which has no evidentiary value in the eye of law. The petitioner has no concern either with the seized liquor or the alleged motorcycle. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has six criminal antecedents and is languishing in judicial custody since 18.04.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail, ***after framing of charge if not already framed***, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Udwant Nagar P.S. Case No. 362 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall



be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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