

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51095 of 2025

Arising Out of PS. Case No.-322 Year-2025 Thana- Excise P.S. District- Siwan

Ugesh Kumar Prasad @ Ugesh Kumar S/o Seshnath Prasad R/o vill- Akholi,
P.S.- Mairwa Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumari Anupam, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 11-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 30(a) and 32(3) of Bihar Prohibition and Excise Act, 2022.

3. As per the prosecution case, the police intercepted two motorcycles and total 234 liters of liquor were recovered from the said motorcycles.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. He further submits that he was not apprehended at the place of occurrence and he has no concern whatsoever with the recovered liquor. It has next submitted that one of the motorcycle which was seized belongs to the petitioner and only



because he happens to be the owner, he has been implicated in this case. It has lastly been submitted that petitioner has clean antecedent.

5. The learned A.P.P. for the State has vehemently opposed the prayer for bail.

6. Considering the aforesaid submissions, the petitioner, above named, is directed to be released on anticipatory bail, in the event of arrest or surrender before the Court below within a period of four weeks from today, 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 Siwan Excise P.S. Case No. 322 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of BNSS as well as subject to the following conditions:-

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

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates, or



in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(v) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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 bond 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

