

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58404 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- BANJARIA District- East Champaran

Ramod Kumar @ Ramod Sahani S/o Satan Sahni R/o village- Jhakhiya, P.S -
Banjariya, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prem Sheela Pandey, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 10-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered under Sections 274/275 of B.N.S. and Sections 30(a) and 41 of the Bihar Prohibition and Excise Act.

3. There is recovery of 265 litres country made liquor from from *chhath ghhat* situated near the bank of *Jhakhiya river* and it is alleged that 9-10 persons fled away from the spot seeing the police party. The local *chaukidar* identified the accused persons including petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to six criminal antecedents. Petitioner was neither apprehended on the spot nor any incriminating article has been



recovered from conscious possession of the petitioner. The alleged recovery has been made from open place accessible to public at large. Petitioner has no concern either with the seized liquor or the place of recovery. Charge sheet has already been submitted after investigation and there is no chance of tampering with the evidence or absconding the petitioner. Petitioner has six criminal antecedents of similar nature and he is in jail since 05.04.2025 and he undertakes to cooperate in the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case as well as the submissions of the parties and period of custody, let the above named petitioner be released 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 learned Exclusive Special Excise Court No.01, East Champaran at Motihari in connection with Banjariya P.S. Case No.29 of 2025 subject to the condition(s) that:

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail



cancellation of his bail bonds by the learned Trial Court itself;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bond;

(iii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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