

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64032 of 2025

Arising Out of PS. Case No.-761 Year-2025 Thana- Excise P.S. District- Gaya

Om Kumar @ Golu S/O Ravindra Singh R/O Village- Bhurkunda, Ward
No.02, P.S.- Goh, District- Aurangabad, (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyaveer Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 23-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Excise P.S. Gaya Case No. 761 of 2025 registered for the alleged offences under Sections 30(a)/32(3) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, petitioner and co-accused, Brijesh Kumar, were apprehended while transporting 560 liters of spirit. The petitioner and co-accused disclosed the name of other co-accused persons with whom they have been indulging in trade of illicit liquor.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is a driver of the seized vehicle and is a



poor person. There is no recovery of any illicit liquor from the possession of this petitioner. The petitioner has no concern with the contraband seized from the vehicle. The petitioner has no criminal history and is in custody since 19.07.2025. Charge-sheet has been submitted.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, Excise Act-3, Gaya/court concerned in connection with Excise P.S. Gaya Case No. 761 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.



(iii) In case of absence on three 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.

(Arun Kumar Jha, J)

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