

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.72677 of 2025**

Arising Out of PS. Case No.-296 Year-2020 Thana- BYPASS District- Patna

Ganauri Rai S/o Lalbabu Rai @ Lalbabu Ray R/o Village - Bichla Tola, Near  
- Kumar Petrol Pump, P.S - Didarganj, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Jay Ram Prasad, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

**CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA**  
**ORAL ORDER**

2      14-10-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Bypass P.S. Case No. 296 of 2020 registered for the alleged offences under Section 30(a) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, during checking of vehicles, a carrier tempo was stopped and its driver fled away. On search of the tempo, from four jute sacks, recovery of 200 liters of country made *Mahua* liquor was made. The police came to know about the petitioner, who is the owner of the tempo, who fled away from the spot on seeing the police party.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. The petitioner was not apprehended from the spot and nothing incriminating has been recovered from his person or possession. The petitioner has been made accused in this case on the basis of being the owner of the tempo. The petitioner was not having knowledge about transportation of illicit liquor by the driver of the tempo and due to criminal antecedent of the petitioner, he has been falsely implicated in this case. The petitioner is having antecedent of three cases and he is on bail in all such cases. The petitioner is in custody since 31.08.2025 and 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 fact that the petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and further considering the period of custody of the petitioner 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 Excise Judge, Excise Act, Patna City, Patna/court concerned in



connection with Bypass P.S. Case No. 296 of 2020, 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)**

Ashish/-

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