

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73706 of 2025

Arising Out of PS. Case No.-226 Year-2025 Thana- GOPALPUR District- Gopalganj

Chet Ram S/O Karan Singh R/O- Bada PS- Shergarh District- Mathura (U.P)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar, Advocate
For the State : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 16-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Gopalpur P.S. Case No. 226 of 2025 registered for the alleged offences under Section 30(a) of Bihar Prohibition and Excise Act.

3. As per prosecution case, police received secret information about smuggling of illicit liquor from UP to Bihar on a four wheeler. Checking of vehicles was started and two persons tried to flee away with the car on seeing the police party. Both of them were apprehended after chase. On search of the car, recovery of 351.78 litres of foreign liquor was made. The petitioner is one of the apprehended persons.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has been falsely implicated in this case and he has no concern either with the seized vehicle or the seized liquor. The petitioner is merely a driver and he had been acting on the instructions of his employer, namely Deepak Kumar, who is owner of the car. Learned counsel further submits that there is no independent witness to support the prosecution case. The seizure list has not been prepared following the mandatory provisions of Section 103 BNSS. The petitioner is having clean antecedent and he is in custody since 18.08.2025.

5. Learned APP opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the petitioner is stated to be driver and further considering the period of custody, 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 District & Additional Sessions Judge -IV- cum Exclusive Special Excise Court II, Gopalganj/concerned Court in connection with Gopalpur P.S. Case No. 226 of 2025, subject to the conditions mentioned in



Section 480(3) of B.N.S.S. and also 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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