

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78854 of 2025

Arising Out of PS. Case No.-268 Year-2022 Thana- SHEKHPURA District- Sheikhpura

Sri Ram Kumar @ Sri Ram Kumar Yadav S/o- Tapeswar Yadav Village-
Mangrar PS- Lakshmipur Distict- Jamui, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Kumar Singh, Adv

For the Opposite Party/s : Mr. Ramesh Chandra, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 20-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 265A/2022 arising out of Sheikhpura (Sirari OP) P.S.
Case No. 268 of 2022, instituted for the offences punishable
under Sections 30(a), 32 and 41 of the Bihar Prohibition and
Excise Act.

3. Earlier vide order dated 31.07.2025 passed in Cr.
Misc. No. 41329 of 2025 anticipatory bail was rejected by Co-
ordinate Bench of this Court.

4. The prosecution case, in short, is that 270 liters of
foreign liquor was recovered from two car.

5. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. No incriminating material has been recovered from the conscious possession of the petitioner. The petitioner has got no concern with the alleged recovery of liquor. Learned counsel for the petitioner submits that petitioner is owner of the seized vehicle (Maruti S Press) and so far as recovery of liquor is concerned, the same is planted by the police party. The petitioner is in custody since 02.09.2025 and has got clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Case No. 265A/2022 arising out of Sheikhpura (Sirari OP) P.S. Case No. 268 of 2022, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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