

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79454 of 2025

Arising Out of PS. Case No.-849 Year-2025 Thana- Excise P.S. District- Purnia

Ram Kumar Ray S/o Kamal Ray R/o Mirza Nagar, ward no. 12, P.S.- Mahua,
Distt.- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aashish Kumar, Adv

For the Opposite Party/s : Mr. Veena Kumari Jaiswal, APP

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

ORAL ORDER

2 24-11-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Purnia Case No. 849 of 2025, instituted for the offences
punishable under Sections 30(a), 47 of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that 282.240 liters
of foreign liquor was recovered from Mahindra Pick-up vehicle.
Petitioner was arrested on spot.

4. 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 not owner of the seized vehicle in question. It is also submitted that petitioner was not arrested on the spot. The petitioner is in custody since 24.09.2025 and has got clean antecedent. There is no compliance of Section 103 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

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

6. 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.

7. Let the petitioner be released on bail 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 P.S. Purnia Case No. 849 of 2025, 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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