

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.86572 of 2024**

Arising Out of PS. Case No.-1539 Year-2024 Thana- Excise P.S. District- East Champaran

Kailash Ram Son of Late Bullet Ram @ Bilat Ram Resident of Village -  
Hardiya (Hardiyan) Ward No. 09 P.S.- Turkauliya District- East Champaran  
... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : None  
For the Opposite Party/s : Mrs.Sangeeta Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
**ORAL ORDER**

3      25-02-2025                      No one appears for the petitioner though learned  
APP is present.

2. The petitioner is in custody in connection with  
Excise P.S. Case No. 1539 of 2024 for the offence punishable  
under sections 30(a), 36 of Bihar Prohibition & Excise  
(Amendment) Act, 2018 lodged on 14.09.2024 by the  
informant, Saddam Hussain Ansari.

3. As per the prosecution story, the informant alleged  
that on secret information, a motorcycle was intercepted and in  
between the passengers, a jar was present in which 52 litres of  
illicit liquor recovered/seized. Those present were arrested  
which followed, the FIR.

4. From the pleadings, it has been recorded that only  
because he was passing, got arrested at the behest of others,  
though para-3 of the petition shows that he has criminal  
antecedent.



5. Learned APP opposes the prayer for bail submitting that he has criminal antecedent.

6. Considering the aforesaid facts as also his period of custody (08.10.2024 Para-4 of the petition), this Court is inclined to extend him the privilege of bail with conditions.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Exclusive Special Excise Court No. 2, East Champaran, Motihari in connection with Motihari Excise P.S. Case No. 1539 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences,



failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds;

(v) the petitioner shall desist from committing any  
criminal offence again, failing which the State shall be at liberty  
to take steps for cancellation of his bail bonds.

**(Rajiv Roy, J)**

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