

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82639 of 2025

Arising Out of PS. Case No.-243 Year-2015 Thana- MIRGANJ District- Gopalganj

Dilip Ram S/O Late Ambika Ram R/O Village- Baraipatti, P.S.- Mirganj,
District- Gopalganj

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

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

ORAL ORDER

2 03-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Mirganj
P.S. Case No. 243 of 2015 instituted for the offences under
Sections 272, 273 of the Indian Penal Code and Section 47(A)
of the Excise Act.

3. Prosecution case, in short, is that total 15.2 litres of
country-made liquor has been recovered near canal.

4. Learned counsel for the petitioner submitted that
present case is the case of misuse of privilege of bail earlier
granted to the petitioner. Earlier the petitioner was granted bail
on 28.08.2015 by the learned court below. It is further submitted
that on 29.01.2016, the learned court below took cognizance in



the matter but the charges could not be framed due to non-appearance of the petitioner on the date fixed by the learned court below and consequently, the bail bond of the petitioner was cancelled on 18.01.2016 by the learned court below. It is further submitted that learned court below issued NBW as well as process under Section 82 of the Cr.P.C. against the petitioner due to non-appearance of the petitioner for framing of charge. Learned counsel further submitted that the petitioner had no knowledge of NBW notice as well as Section 82 Cr.P.C. process. It has been submitted on behalf of the petitioner that the petitioner is in custody since 12.10.2025 and has one criminal antecedent. Learned counsel further submitted that petitioner undertakes to abide by any conditions imposed by this Court, if released on bail.

5. Learned A.P.P. 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, the undertaking given by the petitioner as also 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 Mirganj P.S. Case No. 243 of 2015, 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 any date, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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