

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83685 of 2025

Arising Out of PS. Case No.-126 Year-2025 Thana- Excise Jhanjharpur District- Madhubani

Jagdish Ram, S/O Late Kushe Ram, R/O Village- Adalpur, Ward No.10, PS-
Jhanjharpur, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Nitu Kumari, Advocate. Mr. Jitendra Bharti, Advocate.
For the State	:	Mr. Shyam Bihari Singh, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 10-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest, in connection with Jhanjharpur Excise P.S. Case No. 126 of 2025 dated 09.08.2025 registered for the offences punishable under Sections 30(a), 32(1), 32(3) and 41(1) of Bihar Prohibition and Excise (Amendment) Act.

3. As per allegation, 198 litres of illicit liquor has been recovered from the Tempo bearing registration No. BR-07PA-2503 and driver of the same, Arman Ansari who is also co-accused, was taken into custody after recovery and in his confessional statement, he stated to the Police that the said liquor was got loaded in Tempo by co-accused Ajay Yadav



which was to be delivered to the petitioner.

4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner is no way involved in the alleged offence. There is no connecting material on record except the confessional statement of co-accused before the Police which has no evidentiary value. Hence, there is no *prima facie* legally admissible material on record against the petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has been made accused in six other cases in which he is on bail.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail.

8. Considering that no *prima facie* case is made out against the petitioner, **this petition is allowed**, directing the petitioner, above-named, to be enlarged on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.



10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned court below in connection with Jhanjharpur Excise P.S. Case No. 126 of 2025 subject to the conditions as laid down under Section 482 (2) of the B.N.S.S 2023, and on the following conditions:

(i) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(ii) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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