

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22635 of 2026

Arising Out of PS. Case No.-190 Year-2025 Thana- GHOGHARDIHA District- Madhubani

Shambhu Kumar Ram @ Shambhu Ram S/O Ram Chandra Kumar Ram @
Ram Chandra Ram Resident of Village- Gidaha, Police Station- Ghoghardiha,
District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Soban Asghar, Advocate

For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-04-2026 Heard Md Soban Asghar, learned counsel for the

petitioner and Mr. Rajendra Prasad Nat, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
14.12.2025 in connection with Ghoghardiha P.S. Case No. 190
of 2025, F.I.R. dated 14.12.2025 for the offences punishable
under Section 24, 275, 3(5) of Bharatiya Nyay Sanhita, 2023
and Section 30(a) of the Bihar Prohibition and Excise Act, 2018.

3. Recovery is of 909 liters of Nepali Desi Mamashree
liquor.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. He further submits that it appears



from the F.I.R. as well as seizure list that nothing has been recovered from the conscious possession of the petitioner rather the recovery has been made from a bush which is an open place and the petitioner has been made accused merely on the basis of suspicion. He further submits that there is non-compliance of Section 103 and 105 of BNSS and the petitioner is in custody since 14.12.2025.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and there is non-compliance of Section 103 and 105 of BNSS, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge, Excise Act, Jhanjharpur, Madhubani in connection with Ghoghardiha P.S. Case No. 190 of 2025, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



ii. 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.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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