

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18426 of 2026

Arising Out of PS. Case No.-263 Year-2022 Thana- UCHKAGAON District- Gopalganj

Rambabu sah @ Rambabu Prasad Son of Shivji Sah @ Shivji Prasad Resident
of village- Lakri Dargah, Ps- Barharia, Dist- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deepankar Raj, Advocate

For the Opposite Party/s : Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 03-04-2026 Heard Mr. Deepankar Raj, learned counsel for the

petitioner and Dr. Kumar Uday Pratap, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
09.01.2026 in connection with Uchkagaon P.S. Case No. 263 of
2022, F.I.R. dated 05.08.2022 for the offences punishable under
Sections 30(a)(b) of the Bihar Prohibition and Excise Act, 2016.

3. Recovery is of 612 liters of country made wine.

4. Learned counsel for the petitioner submits that
petitioner is innocent 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 the vehicle in question. He further submits that



the apprehended co-accused persons have stated that they have gone to deliver the illicit liquor to the petitioner. Except the aforesaid, no other cogent material has come during investigation which suggest the involvement of the petitioner in the present occurrence and the petitioner has been made accused in the present case due to his previous criminal antecedents. The petitioner is in custody since 09.01.2026.

5 The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner on the ground that the petitioner carries ten criminal antecedents other than the present one but fairly submits that he is on bail in eight cases.

6. Considering the aforesaid facts and circumstances, 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 District & Additional Sessions Judge-XIII-cum-Special Judge Excise-I, Gopalganj in connection with Uchkagaon P.S. Case No. 236 of 2022, 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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