

**In the Court of Exclusive Special Judge, Excise-I,
Bettiah, West Champaran.**

Excise P.S. Case No 25/2024

**B.P. No. :- 297/2024
Rajkumar Ram Versus State**

Present :

Ld. Spl. P.P. Sri Dinesh Kumar for the State.

Ld. Counsel Sri Ramesh Prasad for the accused/petitioner.

30.01.2024

1. The present bail petition has been filed on behalf of petitioner/accused **Rajkumar Ram** related with the case **u/s – 30(a) of Bihar Prohibition and Excise Act**, who is in judicial custody since **09.01.2024**.
2. Brief fact of the case is that the petitioner/accused person was arrested for the offence u/s 30(a) of Bihar Prohibition and Excise Act, for recovery of 13.2 liter illegal liquor.
3. The learned Advocate for the petitioner has submitted that no other bail petition on behalf of the petitioner has been filed before any court and the petitioner has got no criminal antecedent. It is further submitted that the earlier inadvertently a bail petition has been filed on behalf of accused petitioner in another case bearing no. Bairiya PS case 25/24 instead of this case, which was withdrawn. It has been further submitted that the petitioner is quite innocent and has not committed any offence and has been falsely implicated in this case. It is further submitted that the allegation as alleged against the petitioner in the F.I.R. by the informant is totally false and concocted and petitioner rotting in judicial custody since 09.01.2024. It has been further submitted that even after sufficient time case diary has not been adduced by Ld. Spl. P.P. Hence prayed to grant the bail to the petitioner.
4. The learned Spl. P. P. for the State has opposed the bail petition and has

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submitted that petitioner/accused person was arrested for the offence u/s 30(a) of Bihar Prohibition and Excise Act, for recovery of 13.2 liter illegal liquor, hence prayed to dismiss the present bail petition.

5. Having heard both the parties and perused the case record, from perusal of case record, it appears that the allegation is of recovery of 13.2 liter illegal liquor. The petitioner has no criminal antecedent as per para no. 3 of the bail petition and he is in judicial custody since 09.01.2024. Considering the facts and circumstances as well as period of custody, the present bail petition of the petitioner is hereby allowed. Let the petitioner be released on bail after furnishing bail bond of amount of **Rs. 10,000/-** along with two sureties of equal amount subject to condition that **the petitioner/accused person is strictly directed to undertake that he shall not indulge in the similar offence in future. Further, if any criminal antecedent of the petitioner is found against the petitioner then prosecution shall be at liberty to proceed for cancellation of bail.**

Dictated

Exclusive Spl. Judge, Excise-I.