

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.63908 of 2024**

Arising Out of PS. Case No.-1262 Year-2024 Thana- Excise P.S. District- East Champaran

Santosh Kumar Son of Wakil Rai R/o Village- Mathiya Bariyarpur, P.S.-  
Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shanti Bhushan Singh, Adv

For the Opposite Party/s : Mr. Shyam Bihari Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      11-09-2024                      Heard the parties.

2. The petitioner seeks bail in connection with  
Excise Motihari P.S. Case No. 1262 of 2024 registered  
for the offence under Section 30(a) of the Bihar  
Prohibition and Excise Act, 2016.

3. The petitioner is named in the F.I.R. and is  
in custody since 03.08.2024.

4. The allegation against the petitioner is to be  
engaged in illegal trading/manufacturing of illicit liquor,  
where, there is recovery of 53.1 litres of I.M.F.L.

5. Learned counsel for the petitioner submitted  
that petitioner has been falsely implicated in present



case on the instance of his elder brother being the driver of the Maruti Suzuki Alto car alleged to be carrying consignment of illicit liquor. It is submitted that nothing surfaced during course of investigation which may suggest *prima-facie* that the petitioner being the driver was under knowledge for carrying consignment of illicit liquor. Seizure list of this case is also appears disputed, as being not supported by independent witnesses rather by police personnels. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

6. Learned APP, opposes the prayer of bail.

7. In view of aforesaid facts and circumstances as implication of petitioner appears only being driver of the Maruti Suzuki Alto car, where seizure list also appears to be disputed, accordingly, petitioner above named, is directed to be released on bail in connection with Excise Motihari P.S. Case No. 1262 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of learned Exclusive Special Excise Court  
No. 2, East Champaran at Motihari/concerned court,  
subject to the conditions as mentioned under Section  
437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

kiran/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

