

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10725 of 2025

Arising Out of PS. Case No.-301 Year-2022 Thana- Excise P.S. District- Madhepura

Chandan Kumar S/o- Prameshwar Sharma Village- Belaghat W.No-5, Ps-
Madhepura Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dinesh Prasad Verma, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-04-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Excise
Case No. 441 of 2022, arising out of Excise PS Case No. 301 of
2022 instituted for the offences under Section 30(a) of the Bihar
Prohibition and Excise Act.

3. The prosecution case, in short, is that 199 liters
cough syrup was recovered from wagon-R.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of contraband. It is



submitted that apprehended person disclosed the name of the petitioner and has stated that contraband belongs to the petitioner. The petitioner is in custody since 23-12-2024 and has got two criminal antecedents. There is no compliance of Section 103 of the BNSS, 2023. Other similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court vide order dated 15-02-2025, passed in Cr. Misc. No. 3342 of 2025.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, claim based on parity and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Excise Case No. 441 of 2022, arising out of Excise PS Case No. 301 of 2022.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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