

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11016 of 2025

Arising Out of PS. Case No.-221 Year-2024 Thana- Excise P.S. District- Saran

Mohan Kumar S/o Parmeshwar Sah R/o Mohalla- Daldali Bazar, PS- Town,
District- Saran Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yugal Kishore, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

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

ORAL ORDER

3 22-03-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with Sadar
Excise PS Case No. 221 of 2024 instituted for the offences
under Sections 30(a) and 32(3) of the Bihar Prohibition and
Excise Act.

3. The prosecution case, in short, is that total 140
litres of country made liquor was recovered from E-Rickshaw
bearing Registration No. BR-03ER-0528.

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 liquor. It is submitted



that petitioner is neither the owner nor the driver of the seized vehicle. It is further submitted that petitioner was sitting as a passenger in the vehicle and he has no knowledge regarding the nature of goods kept in the vehicle. The petitioner is in custody since 19.12.2024 and has got no criminal antecedent. There is no compliance of Section 103 of B.N.S.S.

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, clean antecedent of the petitioner 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 Sadar Excise PS Case No. 221 of 2024.

(Rudra Prakash Mishra, J)

Raj Ranjan/-

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