

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12957 of 2025

Arising Out of PS. Case No.-761 Year-2024 Thana- Excise P.S. District- Siwan

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Krishna Kumar Sharma @ Krishna Sharma Son of Late Ramkeshwar Sharma
Resident of Village- Garwar, P.S.- Darauli, District- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Prabhakar Singh

For the Opposite Party/s : Mr. Ashok Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 29-04-2025 Heard learned counsel for the petitioner and learned A.P.P.
for the State.

2. The petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 30 (a) and 32 (3) of
the Bihar Prohibition and Excise Act, 2016.

3. A bare perusal of the first information report and the
seizure list would go to show that 117 liters of country made
liquor and 9 liters of foreign liquor has been recovered from a
bag kept on the motorcycle.

4. It is submitted by learned counsel for the petitioner that
the name of the petitioner has been falsely implicated in this
case as the seized motorcycle registered in the name of the
petitioner. It is further submitted that much before the
occurrence the petitioner has given an information to the



S.H.O. of Darauli Police Station that his motorcycle, which was parked in his hut, was missing. It is further submitted that there is violation of mandatory provision in search and seizure as also there is no independent eye witness to the said seizure list. Petitioner has no criminal antecedent as stated in para-3 of this application.

5. Learned APP for the State opposed the prayer for bail.

6. Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Excise Case No. 761 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Soni Shrivastava, J)

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