

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14206 of 2025**

Arising Out of PS. Case No.-527 Year-2024 Thana- CHIRAIYA District- East Champaran

Sikesh Kumar, aged about 24 years (M), S/o- Jagat Baitha, R/O Village-  
Dipahi, P.S.- Chiraiya, Dist- East Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner : Mr. Abhishek Kumar, Advocate  
For the Opposite Party : Mrs. Sucheta Yadav, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH  
SINGH**

ORAL ORDER

2      27-03-2025                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Chiraiya  
P.S. Case No. 527 of 2024 dated 19.12.2024 registered for the  
offences punishable under Section 30(a) of the Bihar Prohibition  
and Excise (Amendment) Act, 2022 and Section 317(5) of the  
B.N.S., 2023.

3. As per the prosecution case, total 100 litres country  
made liquor is said to have been recovered from the motorcycle  
and the petitioner was driving the said motorcycle. It is further  
alleged that on query, the petitioner disclosed that he had  
committed theft of the said motorcycle from Lajhmanwa village  
on 05.12.2024 under Harsidhi Police Station.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. No incriminating article has been recovered from his possession. The petitioner is neither the owner of the said motorcycle nor the alleged seized illegal liquor. There is no statutory compliance of Section 103(4)(6) of B.N.S.S. He has no concern with the alleged offence. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 20.12.2024.

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

6. Considering the aforesaid facts and circumstances of the case as well the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Excise Court No. 0-1, Motihari, East Champaran in connection with Chiraiya P.S. Case No. 527 of 2024.

7. The application stands allowed.

**(Chandra Prakash Singh, J)**

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