

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17194 of 2025

Arising Out of PS. Case No.-143 Year-2025 Thana- Excise P.S. District- East Champaran

Satyam Kumar, aged about 21 years, Gender-Male, Son of Siyaram Mukhiya,
Resident of Village - Bakhari Khajuri Ward No.1, P.S. - Dhaka (Chiraiya),
District - East Champaran at Motihari

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Peeyush Raj, Advocate
For the Opposite Party : Mr. Sanjay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 03-04-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Excise
(Motihari) P.S. Case No. 143 of 2025 dated 26.01.2025
registered for the offence punishable under Section 30(a) of the
Bihar Prohibition and Excise (Amendment) Act, 2018.

3. As per the prosecution case, total 135 litres of Nepali
country made liquor is said to have been recovered from the
motorcycle which was driven by the petitioner and total 1.200
litres of Nepali country made liquor is said to have been
recovered from the possession of the co-accused Shabbaj
Mohammad.

4. Learned counsel for the petitioner has submitted that



the petitioner is innocent and has falsely been implicated in the present case. The petitioner is neither the owner of the motorcycle nor the owner of the seized illegal liquor. He has no concern with the alleged offence. No incriminating article has been recovered from his possession. There is no statutory compliance of Section 103 of the B.N.S.S., 2023. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 27.01.2025.

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. 2, Civil Court, East Champaran at Motihari in connection with Excise (Motihari) P.S. Case No. 143 of 2025.

7. The application stands allowed.

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(Chandra Prakash Singh, J)

