

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18257 of 2025

Arising Out of PS. Case No.-134 Year-2024 Thana- Excise Thana Hajipur District- Vaishali

Awadhesh Kumar S/O Asharfi Ray R/O Village- Amritpur, P.S- Vaishali,
Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Rina Sinha, Advocate
		Mr. Dharendra Prasad Sinha, Advocate
For the Opposite Party/s	:	Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-04-2025 Heard learned counsel for the petitioner and the
State.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Section 30 (a), 32 (1)(3) , 36, 41 (1) (2) of Bihar Prohibition and Excise (Amendment) Act 2018 .

3 . It is alleged that on search 30 liters foreign liquor, 200 pieces of empty bottle , 50 gm sticker and 100 gm cap of bottle were recovered from seized Tata Sumo bearing registration No. BR 06PE0667.

4. It is submitted that the petitioner is innocent and has falsely been implicated in this case only on the basis of confessional statement of other co-accused persons who was



apprehended on the spot. Petitioner is neither owner nor driver of seized vehicle . No incriminating material has been recovered from the conscious possession of the petitioner and he is no way connected with the aforesaid recovery . Petitioner has got 1 criminal antecedent in which he is on bail.

5 . Learned counsel for the State opposes the bail petition .

6. Considering the fact that petitioner is neither owner nor driver of seized vehicle and other circumstances of the case , in the event of arrest/surrender within eight weeks from today, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive special Court No. II cum district & Additional sessions Judge Vaishali at Hajipur in connection with Hajipur Excise Police Station Case No. 134 of 2024 , subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure .

(Prabhat Kumar Singh, J)

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