

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23975 of 2025

Arising Out of PS. Case No.-28 Year-2025 Thana- EXCISE PAKRIBARAWAN District-
Nawada

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Sager Kumar @ Sagar Kumar S/o Sri Anil Kumar Resident of Village-
Gobindpur, P.s- Bahadurpur, District- Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Santosh Kumar Deepak, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 17-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
Pakriwarma Nawada P.S. Case No. 28 of 2025 instituted for the
offences under Section 30(a)/47 of the Bihar Prohibition and
Excise Act, 2016.

3. As per prosecution case, the police has recovered
total 115.875 liters illicit foreign liquor from the Tempo bearing
Regd. No. BR01PF7298. The petitioner was arrested on the
spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case.
The petitioner is neither driver nor owner of the alleged vehicle.



He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has also no concern with the seized liquor. There is a non-compliance of Section 103 of the B.N.S.S. which creates a serious doubt in the prosecution case. The petitioner has one criminal antecedent and is languishing in judicial custody since 26.02.2025 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, 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 Excise Pakriwarma Nawada P.S. Case No. 28 of 2025.

(Rudra Prakash Mishra, J)

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