

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22898 of 2025

Arising Out of PS. Case No.-113 Year-2025 Thana- Excise P.S. District- Siwan

Manoj Kumar S/o Late Vijay Prasad R/o Village- Sahebganj, P.S.- Chapra
Town, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey, Adv.

For the Opposite Party/s : Mr.Lakshmi Kant Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 16-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Siwan
(Sadar) Excise P.S. Case No. 113 of 2025 instituted for the
offences under Sections 30(a) and 32(3) of the Bihar
Prohibition and Excise Act.

3. As per prosecution case, the police has recovered
total 278.640 liters of illicit foreign liquor from the Mahindra
Bolero bearing Regd. No. BR09G4620. 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. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The vehicle in question does not belong to the petitioner. The petitioner was just travelling in the alleged vehicle. The petitioner has no concern with the seized liquor. The petitioner was not aware of the contents of the material loaded in the alleged Bolero vehicle. 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 no criminal antecedent and is languishing in judicial custody since 09.02.2025 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 and the petitioner having no criminal antecedent, 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 Siwan (Sadar) Excise P.S. Case No. 113 of 2025.

(Rudra Prakash Mishra, J)

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