

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24859 of 2025

Arising Out of PS. Case No.-106 Year-2024 Thana- Pachpakdi District- East Champaran

Vishal Tiwari, Son of Kunwar Tiwari @ Kuar Tiwari @ Kumar Tibari,
Resident of Village-Padumker, P.S.- Patahi @ Pitahi, District-East
Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Rahul Singh, Advocate

For the Opposite Party : Mr. Vinod Shanker Modi, A.P.P.

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

ORAL ORDER

3 08-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Pachpakari P.S. Case No. 106 of 2024 dated 29.12.2024
registered for the offences punishable under Sections 30(a) and
41(1) of the Bihar Prohibition and Excise (Amendment) Act,
2022.

3. As per the prosecution case, total 65.400 litres of
Nepali country made illicit liquor was recovered from the
Scooty.

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 has no concern with the seized illicit liquor and the co-accused person Anurag Singh. He is also not the owner of the seized Scooty as mentioned in paragraph no. 11 of the bail petition. It is further submitted that the petitioner was bypasser and police stopped him to make seizure list witness and when he refused to do the same, he has falsely been implicated in the present case. There is no statutory compliance under Sections 103 and 103(7) of the B.N.S.S., 2023. It is further submitted that the other co-accused person, namely, Anurag Singh, has already granted bail by a Bench of this Court in Cr. Misc. No. 18553 of 2025 vide order dated 09.04.2025. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 30.12.2024.

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. I, East Champaran at Motihari in



connection with Pachpakari P.S. Case No. 106 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

U.K./-

U		T	
---	--	---	--

