

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26138 of 2025

Arising Out of PS. Case No.-223 Year-2025 Thana- Excise P.S. District- Siwan

Upendra Kumar S/o Lalu Mahto R/o Village- Kasmar Pahleja Ghat, P.S.-
Sonepur, District- Saran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

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

ORAL ORDER

2 30-04-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Siwan (Sadar) Excise P.S. Case No. 223/2025 dated 22.03.2025 registered for the offences punishable u/s 30(a) and 32(3) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 466.560 litres of illicit foreign liquor was recovered from the trolley of the tractor.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious



possession of the petitioner. The co-accused, Sonu Kumar is the driver of the said vehicle. As per para. 8 of the bail petition, the petitioner is not the owner of the said vehicle. The petitioner has no concern with the alleged recovery. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, Siwan in connection with Siwan (Sadar) Excise P.S. Case No. 223/2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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