

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28874 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- Excise P.S. District- Gopalganj

Satish Kumar S/O Satish Kumar R/O Vill- Mishrauli, P.S.- Bishunpura, Distt-
Kushi Nager (Uttar Pradesh)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sushil Kumar, Adv.

For the Opposite Party/s : Mr.Md. Shakir Ahmad, APP

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

ORAL ORDER

2 06-05-2025 Learned counsel for the petitioner prays for and is

allowed to make necessary correction in the instant bail

petition in course of the day.

2. Heard learned counsel for the petitioner and

learned APP for the State.

3. The petitioner seeks bail in connection with

Gopalganj Excise Case No. Ex73/2025 instituted for the

offences under Sections 30(A) and 32 Bihar Prohibition and

Excise Act, 2018.

4. As per prosecution case, the police has recovered

total 114 liters of illicit country-made liquor from tempo

bearing no registration number.



5. 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 petitioner has no concern with the seized liquor. The petitioner is the driver of the alleged Tempo and was not aware of the contents of the material loaded in the same. 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 02.02.2025 without any rhymes or reason.

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

7. 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 Gopalganj Excise
Case No. Ex 73/2025.

(Rudra Prakash Mishra, J)

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