

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29961 of 2025

Arising Out of PS. Case No.-299 Year-2025 Thana- Excise P.S. District- East Champaran

Md. Chhotu @ Chhotu S/O Late Md Nasir Miyan @ Md Nasir Alam R/O
Village- Chainpur Dhaka, Ward No.13, P.S- Dhaka, Distt.- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

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

ORAL ORDER

2 08-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 299 of 2025 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 216 litres
of liquor was recovered from Toto and motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. No
incriminating article has been recovered from the conscious
possession of the petitioner. Learned counsel further submitted
that petitioner is neither the owner nor the driver of the vehicles
from which the alleged recovery has been made. The petitioner



has got no concern with the alleged recovery of liquor. The petitioner is in custody since 01.03.2025 and has no criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner 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 P.S. Case No. 299 of 2025.

(Rudra Prakash Mishra, J)

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