

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29570 of 2025

Arising Out of PS. Case No.-174 Year-2025 Thana- Excise P.S. District- Gopalganj

Fateh Alam @ Fatey Alam S/o- Late Hanif Miyan Resident of village- Balia
Makan No. 216, P.S.- Maharajganj, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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

ORAL ORDER

2 01-05-2025 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. 174 of 2025 instituted for the offences punishable
under Sections 30(a), 32 of the Bihar Prohibition and Excise
Act.

3. The prosecution case, in short, is that total 310.500
litres of liquor was recovered from Tata Harrier Car.

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 not the owner of the vehicle in question. It is



further submitted that petitioner is only the driver of the vehicle in question and had no knowledge regarding the goods loaded in the vehicle. The petitioner is in custody since 19.03.2025 and has two criminal antecedents. 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. 174 of 2025.

(Rudra Prakash Mishra, J)

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