

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32521 of 2025

Arising Out of PS. Case No.-156 Year-2025 Thana- Excise P.S. District- Aurangabad

Ajay Bhuiya S/o Chandradip Bhuiya R/o Village- Bisxhrampur, P.O.-
Belmadumari, P.S.- Deo, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kedar Yadav, Adv

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 20-05-2025 Heard learned counsel for the petitioner and the
learned APP for the State.

2. The petitioner makes a prayer for grant of regular bail in connection with Excise P.S.Case No. 156 of 2025 registered for the offences punishable under Sections 30(a), 30 (c) of the Bihar Prohibition & Excise Act.

3. It would appear from the FIR and seizure list that total 120 liters of country made Mahua liquor and further 1600 kg fermented Java Mahua solution thrown on the ground was recovered at an open space in the forest area. It is alleged that some people managed to flee away taking advantage of the bushes in the forest, while it was disclosed by some of the persons at the vicinity that the petitioner was involved in the said illegal liquor plant.

4. Learned counsel for the petitioner submits that as a matter of fact, no recovery has been made from the physical and



conscious possession of the petitioner as the petitioner was not arrested on the spot and subsequently, his name has been disclosed on suspicion and the petitioner was later on, arrested. The petitioner only belongs to a labour class and has nothing to do with the alleged manufactured liquor or liquor plant. It has also been submitted that the seizure list does bear the signature of any independent witness and the petitioner is in custody since 05.03.2025 and the charge sheet has been submitted.

5. The learned APP opposes the prayer for bail on the ground that petitioner has one criminal antecedent of similar nature. However, it is submitted that petitioner is on bail in the said case.

6. Considering the aforesaid facts and circumstances of the case, let the above name petitioner shall be enlarged on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/ successor court in Excise P.S. Case No. 156 of 2025, subject to the condition that the trial court shall verify the criminal antecedent of the petitioner before releasing him on bail.

(Soni Shrivastava, J)

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