

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32951 of 2025

Arising Out of PS. Case No.-59 Year-2025 Thana- TARARI District- Bhojpur

Babliish Kumar @ Abhishek S/o Rajendra Saw R/o Vill.- Baksanda, P.S.-
Tarari, Distt.- Bhojpur at Ara (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-05-2025 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 a registered for the offences punishable under Sections
30(a) of the Bihar Prohibition & Excise Act.

3. The FIR and seizure list would go to show that
total 100 liters of country made Mahua liquor was recovered
from a motorcycle on which three persons were riding. The
petitioner was arrested on the spot.

4. Learned counsel for the petitioner submits that the
motorcycle does not belong to the petitioner and he is not the
owner of the said motorcycle and the seized liquor also does not
belong to him. It is a fact that two of the other persons on the
motorcycle have managed to flee away. There is no recovery



from physical and conscious possession of the petitioner and there is no independent witness of the seizure list. The petitioner is in custody since 31.03.2025.

5. The learned APP opposes the prayer for bail on the ground that the petitioner has three cases out of which one is of similar nature and the same has brought on record by way of supplementary affidavit which is kept on record.

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 Tarari P.S. Case No. 59 of 2025, subject to the following conditions:-

(i) One of the bailors shall be own/ close member of the family of the petitioner.

(ii) The trial court shall verify the criminal antecedent of the petitioner before releasing him on bail which shall be done expeditiously without causing any delay.

(Soni Shrivastava, J)

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