

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33329 of 2025**

Arising Out of PS. Case No.-359 Year-2025 Thana- Excise P.S. District- Aurangabad

Bablu Kumar S/o Ram Milan Singh, R/o Village- Dugul, P.S.- Kasma, Distt.-
Aurangabad.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Ms. Mukul Kumari, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH
ORAL ORDER

2 26-05-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with Excise P.S. Case No. 359 of 2025 dated 02.04.2025 instituted for the offences punishable under Sections 30(a) and 32(3) of the Bihar Prohibition and Excise Amendment Act, 2018 and under Sections 41(1) and 41(2) of the Bihar Prohibition and Excise Act, 2016.

3. As per the prosecution story, 80 litres of illicit spirit was recovered from a Santro car near Odiha village.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case. Although, petitioner was arrested from the spot, but nothing was recovered from his conscious possession and he has



no concern with the alleged recovery. Petitioner is neither the owner nor the driver of the vehicle in question and he has falsely been implicated in this case because he was found sitting in the vehicle in question. Petitioner has clean antecedent. Petitioner is in custody since 02.04.2025. He lastly submits that after completion of investigation, chargesheet has been submitted against the petitioner.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. Having heard the learned counsel for the parties and considering the facts and circumstances of the case as well as petitioner's period under custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge, if not framed as yet**. Accordingly, let the petitioner, above-named, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Excise-II, Aurangabad in connection with **Excise P.S. Case No. 359 of 2025**, on further conditions:

(i) One of the bailors should be close relative of the petitioner.

(ii) Petitioner shall cooperate in the trial and shall



be present on each and every fixed date and on his absence on two consecutive dates without sufficient reason, his bail bond may be cancelled by the learned trial Court.

(S. B. Pd. Singh, J)

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