

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32928 of 2025

Arising Out of PS. Case No.-32 Year-2025 Thana- SUKHANI District- Kishanganj

Satyam Kumar, male, aged about 21 years son of Awadh Kishore @ Abdh Kishore Ray, resident of village- Rasoolpur Wajir Bheekhanpur @ Rasulpur Wazid Bhikhanpura, P.S- Ahiyapur, Dis- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Braj Kishore Pd.APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

2 22-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The prayer has been made by the petitioner for grant of regular bail in a case registered for the offence under sections 30(a) of Bihar Prohibition & Excise Act.

3. It would appear from the FIR and seizure list that total 708 liters of foreign liquor was recovered from pickup vehicle bearing registration no BR06GD6153 and the petitioner is driver of the said vehicle arrested on the spot.

4. Learned counsel for the petitioner submits that the petitioner is not the owner of the vehicle in question but is only a driver, who had no knowledge with regard to the fact that liquor was loaded in the vehicle. The entire process of search



and seizure was committed in gross violation of mandatory provisions as there is no independent witness of the seizure list. As a matter of fact, there is no recovery of physical and conscious possession of the petitioner. The petitioner is in custody since 26.04.2025 with no criminal antecedent.

5. The learned APP opposes the prayer for bail.

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 Sukhani P.S. Case No. 32 of 2025.

(Soni Shrivastava, J)

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