

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35444 of 2025

Arising Out of PS. Case No.-390 Year-2025 Thana- Excise P.S. District- Patna

Abhishek Kumar S/o- Bhola Sah R/Vill- Saadpura, Milki Tola, P.S.- Kaji Mo-
hammadpur , Distt- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Kumar, Advocate

For the Opposite Party/s: Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 03-07-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the state.

2. The petitioner seeks bail in a case instituted for the offences under Sections 30(a), 32 and 56(b) of the Bihar Prohibition and Excise Act, 2016. He has no criminal antecedent.

3. As per the prosecution case, the petitioner was apprehended on a motorcycle carrying 48 litres of ONEREX cough syrup.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case and no recovery was made from his conscious physical possession. It is further submitted that the petitioner has no criminal antecedent and is in custody since 12.03.2025.

5. Learned Additional Public Prosecutor for the State



has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and also considering the period of custody of the petitioner, the petitioner above named, is directed to be released on bail on furnishing bail-bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Excise Judge-III, Patna in connection with Special Excise Case No. 390 of 2025, subject to the the following conditions:-

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

(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

(iv) If any subsequent case of similar nature is lodged against the petitioner, the prosecution shall be at liberty to approach the



learned Court below for cancellation of bail of the petitioner.

(v) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of the same or in the name of verification.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Vikash/-

U		T	
---	--	---	--

