

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35593 of 2025

Arising Out of PS. Case No.-189 Year-2025 Thana- EXCISE MASAUDHI District- Patna

Nirbhay Kumar S/o- Nilu Ram Village- Nijampur Ps- Janipur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad, Adv.

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-06-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Excise Masaurhi P.S. Case No. 189 of 2025 dated 30.04.2025 registered for the offences punishable u/ss 30(a), 32(3) and 56(b) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 160 litres of illicit country made liquor was recovered from the CNG Tempo.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not the owner of the said vehicle. The petitioner is only the driver of the seized vehicle and he has no concern with the alleged recovery. Nothing has been recovered



from the conscious possession of the petitioner. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 01.05.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Excise Masauri P.S. Case No. 189 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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