

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37475 of 2025

Arising Out of PS. Case No.-416 Year-2025 Thana- Excise P.S. District- Aurangabad

Chhotu Kumar S/O Arbind Singh R/O Village- Nima Anjan, P.S- Madanpur,
Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Ms. Shaheen Begum, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 17-06-2025 Heard learned counsel for the petitioner and learned APP
for the State.

2. The petitioner seeks bail in connection with GR
No. 754 of 2025, arising out of Excise PS Case No. 416 of 2025
instituted for the offences under Sections 30(a), 32(3), 41(1) &
41(2) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 240 liters
spirit was recovered from Alto car.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. No incriminating material has been recovered from
the conscious possession of the petitioner. The petitioner has got
no concern with the alleged recovery of liquor. It is submitted



that the only allegation against the petitioner is that he was allegedly working as a liner on the motorcycle. The petitioner is in custody since 19-04-2025 and has got no criminal antecedent. There is no compliance of Section 103 of the BNSS, 2023.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, clean antecedent of the petitioner and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with GR No. 754 of 2025, arising out of Excise PS Case No. 416 of 2025.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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