

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40748 of 2025

Arising Out of PS. Case No.-125 Year-2025 Thana- Excise P.S. District- Bhagalpur

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Swaraj Kumar S/O Raj Kumar Sahni R/O Village- Ratnauli Ward NO. 4, PS-
Maniyari, District- Muzaffarpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar, Advocate

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

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

ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in Excise Sadar P.S.

case No. 125 of 2025 instituted for the offences under

Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 891 liters

liquor was recovered from pick-up vehicle.

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 further submitted that petitioner is driver of the pick-up vehicle and he had no knowledge regarding the nature of goods booked by the transporter. The petitioner is in custody since 02.05.2025 and has got one criminal antecedent. There is no compliance of Section 103 of B.N.S.S., 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 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 Excise Sadar P.S. case No. 125 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every



date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

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