

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41118 of 2025

Arising Out of PS. Case No.-89 Year-2025 Thana- EXCISE MADHUBAN District- East
Champaran

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Shreekant Kumar S/o Nandan Mahto R/o Village- Ashok Siswa, P.S.-
Kalyanpur, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Singh, Advocate
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

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

ORAL ORDER

2 03-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Excise Madhuban P.S.
case No. 89 of 2025 instituted for the offences under Section 89
of 2025 of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that 45 liters liquor
was recovered from motorcycle.

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 the petitioner is not the owner of the



motorcycle. The petitioner is in custody since 06.05.2025 and has got no 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, clean antecedent 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 Madhuban P.S. case No. 89 of 2025.

(Rudra Prakash Mishra, J)

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