

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43859 of 2025

Arising Out of PS. Case No.-747 Year-2025 Thana- Excise P.S. District- East Champaran

SHIVJEE KUMAR S/O Rambabu Sahani Resident of village - Chailaha
Kothi ,P.S. - Banjariya, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Advocate

For the Opposite Party/s : Ms. Nirmala Kumari, APP

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

ORAL ORDER

2 14-07-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Excise
P.S. Case No. 747 of 2025 instituted for the offences punishable
under Section 30(a) of the Bihar Prohibition and Excise Act.

3. The prosecution case, in short, is that total 50 litres
of liquor was recovered from motorcycle.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the
present case only on the basis of suspicion. No incriminating
article has been recovered from the conscious possession of the
petitioner. Learned counsel further submitted that the
motorcycle from which the recovery has been made is registered



in the name of petitioner's mother. The petitioner has got no concern with the alleged recovery of liquor. The petitioner is in custody since 20.05.2025 and has one criminal antecedent. There is no compliance of Section 103 of the Bharatiya Nagarika Suraksha Sanhita, 2023.

5. Learned APP 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 P.S. Case No. 747 of 2025.

(Rudra Prakash Mishra, J)

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