

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47047 of 2025

Arising Out of PS. Case No.-290 Year-2024 Thana- SINGHWARA District- Darbhanga

Sudhir Kumar S/O Baleshwar Mahto R/O village- Tehwara, P.O. Katra, P.S.-
Bahera, District- Muzaffarpur, Bihar- 843321.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Kanchan Jha, Advocate
For the State : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. appearing on behalf of the State.

2. The petitioner seeks bail in a case registered for the
offence punishable under Section 30(a) of the Bihar Prohibition
and Excise Act.

3. As per prosecution case, total 385.380 litres illicit
foreign liquor was recovered from three motorcycles. Petitioner
is registered owner of one of the seized vehicle.

4. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.
No incriminating article has been recovered from conscious
possession of this petitioner and has been made an accused in
this case merely because he happens to be owner of the vehicle
in question. It is further submitted that without the knowledge



and consent of this petitioner, the illicit liquor was being transported in his vehicle. Petitioner is in custody since 25.05.2025.

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

6. Considering the nature of accusation, the fact that no incriminating article has been recovered from conscious possession of this petitioner and period of custody, the prayer for grant of bail to the petitioner is allowed.

7. Accordingly, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge-II (Excise Act), Darbhanga in connection with Singhwara P.S. Case No. 290 of 2024.

(Prabhat Kumar Singh, J)

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