

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45455 of 2025

Arising Out of PS. Case No.-221 Year-2025 Thana- BAKHTIYARPUR District- Patna

Vijay Kumar S/O Hari Ram R/O Vill.- Shahpur Kama, P.S.- Shivanpur, Dist.-
Kanpur, U.P.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lal Babu Singh, Advocate

For the Opposite Party/s : Mr. Khurshid Anwar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 03-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

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

3. As per the prosecution case, 2953.98 litres of illicit liquor was recovered from Mahindra Haiwa truck bearing Reg. No. BR06-GB-9875 of which petitioner was driver.

4. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Further submission is that petitioner was merely the driver of the vehicle and was only following the instruction of the vehicle owner. He was not aware of the nature of consignment. Nothing has been recovered from the conscious possession of the petitioner. Petitioner has no concern with the seized illicit liquor. The charge-sheet has



already been submitted after completion of investigation. Petitioner has no criminal antecedent and there is no chance of his absconding or tampering with the evidence. Petitioner is in custody since 10.05.2025 and he undertakes to cooperate in the trial.

5. Learned APP for the State has opposed the prayer for regular bail of the petitioner.

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Excise Special Judge, Barh, Patna in connection with Bakhtiyarpur P.S. Case No.221 of 2025, subject to the following condition:-

(i) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself.

(Sunil Dutta Mishra, J)

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