

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46581 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- Bathnaha District- Araria

Kapil Kumar Das S/o Upendra Das, R/o Village- Tatma Tola, Ward No. 25,
P.S- Bathnaha, Distt.- Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate
For the Opposite Party/s : Mr. Ramesh Chandra, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-07-2025 Heard learned counsel for the petitioner and
learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Special Case No. 1331 of 2025, arising out of Bathnaha P.S. Case No. 29 of 2025 dated 04.04.2025 registered for the offence punishable under Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per the prosecution case, total 80 litres of illicit country made liquor was recovered from the motorcycle.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case merely on the basis of suspicion. Nothing has been recovered from the conscious possession of the petitioner. Petitioner is neither the owner nor the driver of the vehicle in



question. The petitioner has no concern with the alleged recovery. The petitioner has got two criminal antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 05.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs. 20,000/- (Rupees Twenty Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Excise Judge-I, Araria, in connection with **Bathnaha P.S. Case No. 29 of 2025**.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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