

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48989 of 2025

Arising Out of PS. Case No.-256 Year-2024 Thana- CHIRAIYA District- East Champaran

Niraj Kumar S/o Shankar Prasad @ Shankar Yadav Resident of village-
Katkuiya Ghusupur, P.S-Chiraiya, District-East Champaran, Motihari
... .. Petitioner/s

Versus

The State of Bihar
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra

For the Opposite Party/s : Mr.Uday Chand Prasad

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 21-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends his arrest in a case registered for the offence under Sections 30(a)/41(i) of Bihar Prohibition and Excise Act.

3. As per F.I.R., total 1.025 liters of foreign liquor was recovered out of which, 650 ml. was recovered from the dickey of the motorcycle.

4. Learned counsel for the petitioner submits that no incriminating article has been recovered from the conscious possession of petitioner and has been implicated in this case only on suspicion. He further submits that without knowledge and consent of the petitioner, the liquor was being transported by co-accused who has taken the bike from this petitioner. Petitioner claims clean antecedent.

5. Learned A.P.P. for the State has opposed the bail



petition.

6. Considering the quantity of recovery, let the above named petitioner, in the event of arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, Excise Court, No. 1. East Champaran at Motihari, in connection with Chiraiya P.S. Case No. 256 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023.

(Prabhat Kumar Singh, J)

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