

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.51250 of 2025**

Arising Out of PS. Case No.-290 Year-2025 Thana- SUGAULI District- East Champaran

1. Sumit, S/o Pawan kumar Resident of village- Vidya Nagar Mivani, P.S.- Mivani, Distt.- Mivani, Hariyana
2. Nandeep Jat @ Navdeep Jat, S/o Anoop Singh R/o vill - Mainichandpal, P.S.- Maham, Distt.- Rohtak

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Mritunjay Kumar Nirala, APP

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

3      17-09-2025                      Heard learned counsel for the petitioners and learned  
A.P.P. for the State.

2. The petitioners seek regular bail in a case registered under Sections 30(a), 32 (i) (ii), and 41(i) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of 4248.36 litres of foreign liquor from a container bearing Registration No. UP93CT8416 and the petitioners are the driver and co-driver of the said container respectively.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case being the driver and co-driver of the container in question.



They are not the owner of the alleged container. They have no concern with the seized liquor. Nothing incriminating was recovered from the conscious possession of the petitioners. They had no knowledge about the seized liquor kept in the container as they were performing their duties on the instruction of the owner of the vehicle. Petitioners have no criminal antecedent. They are in custody since 04.06.2025. Charge-sheet has already been submitted and there is no chance of absconding the petitioners or tampering with the prosecution evidence. Petitioners undertake to co-operate in the trial of the case.

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

6. Considering the facts and circumstances of the case and the submissions of learned counsel for the parties, period of custody, let the petitioners, 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 Special Excise Court No. 1, East Champaran, Motihari, in connection with Sugauli P.S. Case No. 290 of 2025, subject to the following conditions:-

(1) The petitioners 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.

(2) Petitioners shall in no way try to induce or  
promise or threat the witnesses or tamper with the evidence,  
failing which the State shall be at liberty to take steps for  
cancellation of the bail bonds.

**(Sunil Dutta Mishra, J)**

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