

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57365 of 2025

Arising Out of PS. Case No.-699 Year-2025 Thana- Excise P.S. District- Aurangabad

Virendra Vishwakarma S/o- Brahmadeo Vishwakarma Village- Ramgadh, P.S.
Chhatarpur, Dist- Palamu Jharkhand.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aman Vishal, Advocate.
		Mrs. Leelawati Kumari, Advocate.
For the Opposite Party/s	:	Mr. Damodar Prasad Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 18-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Excise P.S. Case No.699 of 2025 instituted under Sections
30(a), 32(3), 41(1) & 41(2) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
385 litre illicit spirit kept in the water tanker from the Swaraj
Tractor bearing Registration No. JH-03F-7597 near Madanpur,
P.S. Tandwa and the driver of said vehicle who is petitioner try
to flee away from the spot leaving his vehicle but was
apprehended and he disclosed that the said illicit spirit was to be
delivered to one Raushan Kumar by him.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case only on the basis suspicion. He further submits that petitioner is driver-cum-owner of the said seized vehicle through which he was doing the work of transport and he had no knowledge about the fact that the illicit spirit was kept in the tractor. Learned counsel submits that no incriminating article has been recovered from the conscious possession of petitioner. He further submits that seizure list has not been prepared in accordance with mandatory provisions of law. Learned counsel submits that petitioner is in custody since 03.07.2025, having clean antecedent, charge sheet had been submitted in this case after completion of investigation and the Court concerned had already framed the charge in this case. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence 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 submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special



Judge, Excise Court-II, Aurangabad/ concerned Court in
connection with Excise P.S. Case No.699 of 2025.

(Sunil Dutta Mishra, J)

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