

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53171 of 2025

Arising Out of PS. Case No.-2906 Year-2024 Thana- Excise P.S. District- Patna

Aryan Kumar @ Sikki, aged about 25 years, Gender-Male, S/o Surendra Prasad Singh @ Surendra Prasad, Resident of Brahmpur (Jaganpura), P.S.- Ram Krishna Nagar, District- Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Birendra Kumar, Advocate

For the Opposite Party : Mr. Kumar Ranjit Ranjan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 07-08-2025 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 Patna Excise P.S. Case No. 2906/2024 dated 24.12.2024 registered for the offences punishable under Sections 30(a), 32 and 56(b) of the Bihar Prohibition and Excise Act, 2016 and Amendment Act, 2022.

3. As per the prosecution case, 5.250 litres of illicit foreign liquor was recovered from the motorcycle of the co-accused Aayati Chauhan and 99 litres of illicit foreign liquor was recovered from the *110 Car* on which the co-accused Dhiraj Kumar and Manish Goyal were sitting and the co-accused Dhiraj Kumar has disclosed the name of the petitioner.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner was not arrested on the spot. His name has surfaced in the present case on the basis of the confessional statement of the co-accused Dhiraj Kumar which has got no evidentiary value in the eyes of law. It is further submitted that the petitioner is neither the owner of the vehicles in question nor he has any connection with the seized illicit liquor nor with the apprehended co-accused persons. Nothing has been recovered from the conscious possession of the petitioner. The other co-accused persons, namely, Dhiraj Kumar in Cr. Misc. No. 14831 of 2025 vide order dated 28.03.2025, Ayati Chauhan in Cr. Misc. No. 14781 of 2025 vide order dated 28.03.2025 and Manish Goyal in Cr. Misc. No. 15923 of 2025 vide order dated 02.04.2025. The petitioner has four criminal antecedents as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 25.06.2025.

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) with two sureties of the like amount each to the satisfaction of learned Special Exclusive, Excise Court No.-IIIrd, Patna in connection with Patna Excise P.S. Case No. 2906/2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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