

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59041 of 2025

Arising Out of PS. Case No.-229 Year-2025 Thana- SANGRAMPUR District- East
Champaran

=====

Awanish Kumar @ Awanish Awanish son of Subhash Thakur Resident of
village - Bhawanipur Bathani Tola, P.S.- Sangrampur, District- East
Champaran

... .. 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. Dr. Kumar Uday Pratap, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 11-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Sangrampur P.S. Case No. 229 of 2025 for the offence
registered under Sections 30 (a), 32, 41(i) of the Bihar
Prohibition & Excise Act.

3. As per the prosecution case, there is recovery of
189.795 litres of foreign liquor from the *Baithka* of co-accused
Anand Kumar along with two motorcycles. It is alleged that
petitioner was sitting there.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. He has no concern with the seized liquor. Nothing has
been recovered from the conscious possession of the petitioner.



He further submits that recovery was made in the *Baithka* of co-accused Anand Kumar. There is no independent witness to the seizure list that is the violation of provision under Section 103 of the BNSS. Similarly situated co-accused, namely, Anand Kumar has already been granted regular bail by this Court vide order dated 03.09.2025 passed in Cr. Misc. No. 57525 of 2025. Petitioner is in jail custody since 20.06.2025. He has one criminal antecedents in which he is on bail. Petitioner undertakes to co-operate in the trial of the case.

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 the submissions of learned counsel for the parties and period of custody, 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 Exclusive Special Excise Court No. 1, Motihari, East Champaran, in connection with Sangrampur P.S. Case No. 229 of 2025.

(Sunil Dutta Mishra, J)

khushbu/-

U		T	
---	--	---	--

