

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58197 of 2025

Arising Out of PS. Case No.-437 Year-2024 Thana- ADAPUR District- East Champaran

Madan Hazra @ Madan Hajra @ Madan Paswan S/o Fikir Hazra @ Hazra
Paswan, R/o Vill- Shyampur, P.S- Adapur, Dist- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brajesh Kumar Singh, Advocate.

For the Opposite Party/s : Ms. Pushpa Sinha No.1, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 04-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Adapur P.S. Case No.437 of 2024, registered for the offences
punishable under Sections 30(a) of the Bihar Prohibition and
Excise Act.

3. As per the prosecution case, there is recovery of
256.5 litre illicit Nepali country made liquor from the bushes
situated near the house of Rambabu Chaudhary at Shyampur
Bazar, Pasi Tola which was kept by the petitioner.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case only on the basis of suspicion. He further submits that
petitioner was not present on the spot and he has been
implicated in this case only on the basis of disclosure made by
local *Chaukidar* and villagers. Learned counsel submits that



petitioner has no concern with the seized liquor as the alleged recovery of liquor has been made from an open place which is accessible to public at large. 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 07.05.2025 and he has one criminal antecedent. He further submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the investigation and 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, submissions of learned counsel for the parties and the 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.2, Motihari, East Champaran in connection with Adapur P.S. Case No.437 of 2024.

(Sunil Dutta Mishra, J)

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