

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57475 of 2025

Arising Out of PS. Case No.-40 Year-2025 Thana- Chakia District- Begusarai

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Avinash Kumar S/O Dharamveer Rajak R/O Roopnagar, Police Station-
Chakiya, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Uma Shankar, Advocate
		Ms. Manju Sharma, Advocate
For the Opposite Party/s :		Ms. Pushpa Sinha 1, APP

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CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in a case registered
under Sections 30(a) and 32(2) of the Bihar Prohibition and
Excise Act and Section 281 of B.N.S.

3. There is total recovery of 18 litres of Indian made
foreign liquor from a car. Three accused persons including
petitioner sitting in the car were arrested on the spot.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case. The petitioner is neither owner nor driver of the vehicle.
Petitioner was completely unaware of carrying liquor in the car.
Nothing has been recovered from conscious possession of the
petitioner. The alleged illicit liquor or seized vehicle does not



belong to the petitioner. Similarly situated co-accused persons, namely, Sujit Kumar and Sudin Paswan have already been granted regular bail by a coordinate bench of this Court as well as by this Court vide orders dated 14.08.2025 and 20.08.2025 passed in Cr.Misc.No.54990 of 2025 and Cr. Misc. No.56541 of 2025 respectively. Petitioner has two criminal antecedents but these cases do not belong to the Excise Act. Petitioner is in jail since 16.06.2025. Petitioner undertakes to cooperate in the investigation and the trial.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. Having considered the facts and circumstances of the case as well as the submissions of the parties, let the above named petitioner 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 Exclusive Special Excise Judge-1, Begusarai in connection with Chakiya P.S. Case No.40 of 2025.

(Sunil Dutta Mishra, J)

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