

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57883 of 2025

Arising Out of PS. Case No.-266 Year-2025 Thana- Excise P.S. District- West Champaran

Sumit Kumar S/o Nawal Kumar @ Nawal Kumar Das Resident of Prakash
Nagar, Naya Tola, Ward No. 11, Narkatiaganj, P.S.- Shikarpur, District- West
Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manaur Alam, Advocate

For the Opposite Party/s : Mr. Mithlesh Kumar Khare, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 24-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Bettiah Excise P.S. Case No. 266 of 2025, for the offence
registered under Section 30 (a) of the Bihar Prohibition &
Excise Amendment Act.

3. As per the prosecution case, total 34.920 litres
foreign liquor was recovered from the Tata Magic 407 vehicle.
It is alleged that the petitioner was the owner of the DJ trolley
and tried to flee away after seeing the police

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has been falsely implicated in this
case being the owner of the DJ trolley. He has no concern with



the seized liquor or Tata Magic 407 vehicle from which recovery was made. Nothing has been recovered from the conscious possession of the petitioner. He further submits that the petitioner was neither driver nor the owner of the seized vehicle. He had no knowledge about the liquor loaded in the vehicle. Petitioner who is a young boy of 20 years who was a passerby apprehended on suspicion. Petitioner is in jail custody since 08.06.2025, having two criminal antecedents in which he is on bail. Petitioner undertakes to cooperate 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 Special Judge (Excise), 1st, Bettiah West Champaran, in connection with Bettiah Excise P.S. Case No. 266 of 2025, with further conditions that:-

(i) The petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself.

(ii) The petitioner shall desist from committing any such criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Sunil Dutta Mishra, J)

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