

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57535 of 2025

Arising Out of PS. Case No.-1091 Year-2025 Thana- Excise P.S. District- East Champaran

Bachchalal Das Son of Late Mahadeo Das, R/o Bankat Check Post, P.S.
-Mufasil, District - East Champaran, Motihari.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate.

For the Opposite Party/s : Mr. Md. Anzarul Haque Sahara, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 25-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in a case registered
under Sections 30(a), 33 of Bihar Prohibition and Excise Act.

3. As per prosecution case, there is recovery of 96 litre
illicit Nepali country made liquor and 5 litre spirit from the
bamboo plantation and petitioner tried to flee away from the
spot on seeing the police team but was apprehended on chase.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case due to village politics. He further submits that petitioner
has no concern with the alleged seized liquor and no
incriminating article has been recovered from his conscious
possession. Learned counsel submits that during course of
investigation, the police has not found any material against the



petitioner. He further submits that petitioner is in custody since 09.07.2025, having two criminal antecedents of similar nature, in which he is on bail and charge sheet had already been submitted in this case after completion of investigation. Learned counsel submits that there is no likelihood of absconding the petitioner or tampering with the evidence and he undertakes to cooperate in the 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 bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned in connection with Excise P.S. Case No.1091 of 2025 with following conditions:-

(i) The petitioner shall appear on each and every date before the learned Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bonds by the learned Trial Court;

(ii) The petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence,



failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iii) 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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