

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.60128 of 2025**

Arising Out of PS. Case No.-406 Year-2025 Thana- Excise P.S. District- Kishanganj

Mustak Alam @ Mustak S/O Mabut Baks R/O Vill.- Ukushbhasa, P.S.-  
Goalpokhar, Dist.- Uttar Dinajpur, W.B.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

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

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

**CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA**  
**ORAL ORDER**

3      09-10-2025                      Heard learned counsel for the petitioner and learned  
APP for the State.

2. The petitioner seeks regular bail in connection with  
Special Case No. 417 of 2025 arising out of Kishanganj Excise  
P.S. Case No. 406 of 2025 for the offence registered under  
Sections 30 (a) and 32 (3) of the Bihar Prohibition & Excise  
Act.

3. As per the prosecution case, total 339 litres of illicit  
foreign liquor recovered from Mahindra Scorpio bearing  
Registration No. BR26J-0388. Petitioner was apprehended  
sitting in the seized vehicle.

4. Learned counsel for the petitioner submits that the  
petitioner is innocent and has been falsely implicated in this  
case on suspicion. Nothing incriminating recovered from the



conscious possession of the petitioner. He further submits that the petitioner was neither the driver nor the owner of the seized vehicle. He had taken lift in the car. He had no knowledge about the seized liquor loaded in the car. Petitioner is in jail custody since 31.07.2025, having clean antecedent. Petitioner undertakes to cooperate in the investigation and 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 Court concerned, Kishanganj, in connection with Special Case No. 417 of 2025 arising out of Kishanganj Excise P.S. Case No. 406 of 2025.

**(Sunil Dutta Mishra, J)**

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