

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59505 of 2025

Arising Out of PS. Case No.-447 Year-2025 Thana- Excise P.S. District- Siwan

Vivek Kumar @ Vivke Kumar S/o- Late Ramchandra Prasad, Resident of
Village- Ps-Amnour District- Saran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Dubey, Advocate.

For the Opposite Party/s : Mr. Anand Kishore Choudhary, APP.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 17-09-2025 Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Siwan Excise P.S. Case No.447 of 2025 instituted under
Sections 30(a), 32(3) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, there is recovery of
86.40 litre illicit country made liquor from the tempo bearing
Registration No. BR-01PP-7691 and petitioner who is driver of
the said vehicle was apprehended on the spot.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He further submits that petitioner is not the owner rather
he is driver of the vehicle in question and he had no knowledge
with regard to the fact that illicit liquor was kept in the vehicle.
Learned counsel submits that no incriminating article has been



recovered from the conscious possession of petitioner. He further submits that petitioner has no concern either with the alleged seized liquor or with the vehicle from where the alleged recovery has been made. Learned counsel submits that seizure list has not been prepared in accordance with mandatory provisions of law. He further submits that petitioner is in custody since 05.07.2025, having clean antecedent. Learned counsel 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 and submissions of learned counsel for the parties, 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.II, Siwan in connection with Siwan Excise P.S. Case No.447 of 2025.

(Sunil Dutta Mishra, J)

Ritik/-

U		T	
---	--	---	--

