

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60203 of 2025

Arising Out of PS. Case No.-56 Year-2025 Thana- INDUSTRIAL AREA District- Vaishali

Diwakar Kumar S/O Devendra Jha R/O Mohalla- Bishunpur, Ward no. 39,
P.S. and Dist.- Begusarai. At Present R/o vill- Bidupur Mile, P.S- Bidupur,
Distt-Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, A.P.P.

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 a case registered under Sections 274, 275, 3(5) of the Bharatiya Nyaya Sanhita and Section 30(a) of Bihar Prohibition and Excise Act.

3. As per the prosecution case, 420 litres of illicit liquor was recovered from C.N.G. Piygo vehicle bearing Reg. No. BR01-TJ-7580. The driver of the said vehicle fled away and petitioner was apprehended on the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case due to misunderstanding. Further submission is that petitioner is neither the owner nor the driver of the seized vehicle. Petitioner was only a passenger on the seized vehicle



without having knowledge about the illicit liquor kept in the vehicle. Petitioner has no concern with the seized liquor. Nothing has been recovered from conscious possession of the petitioner. Petitioner has clean antecedent and there is no likelihood of his absconding or tampering with the evidence. Petitioner is young boy of 19 years and he is in custody since 24.04.2025. He undertakes to cooperate in the investigation and trial.

5. Learned A.P.P. 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, 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 Exclusive Special Excise Court- 1st -cum-Additional District and Sessions Judge, Hajipur, Vaishali in connection with Industrial Area P.S. Case No.56 of 2025.

(Sunil Dutta Mishra, J)

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