

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62328 of 2025

Arising Out of PS. Case No.-398 Year-2025 Thana- MALSALAMI District- Patna

Shudhanshu Kumar S/o Anil Kumar RO Simli Nababganj, PS- Malsalami,
Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 22-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Malsalami P.S. Case No. 398 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, recovery of 91.08 litres of country made foreign liquor was made from the auto being driven by this petitioner who was apprehended from his auto.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. Petitioner is a poor auto driver and he has no concern with the



seized liquor. Petitioner never indulged in the trade of illicit liquor. Petitioner is having no criminal antecedent and he is in custody since 02.08.2025.

5. Learned A.P.P. opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner as well as his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of Excise, Patna City, Patna/concerned court in connection with Malsalami P.S. Case No. 398 of 2025, subject to the conditions mentioned in Section 480(3) of the B.N.S.S. and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below.

(iii) In case of absence on three consecutive dates or in violation of the



terms of the bail, the bail bond of the
petitioner will be liable to be cancelled by
the court concerned.

(Arun Kumar Jha, J)

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