

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62063 of 2025

Arising Out of PS. Case No.-339 Year-2025 Thana- EXCISE DANAPUR District- Patna

Sunny Kumar S/o Shiv Shankar Ray R/o Village- Goraiya Asthan, P.S.-
Maner, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mohit Raj, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, 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.

02. In the present case, the petitioner seeks bail in connection with Excise Danapur P.S. Case No. 339 of 2025 registered for the alleged offences under Sections 30(a) and 32(3) of the Bihar Prohibition & Excise Act, 2016.

03. As per prosecution case, recovery of 69.120 liters of India made foreign liquor was made from an Auto in which the petitioner was sitting on passenger's seat. The driver of the Auto was also apprehended.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was merely passenger in the Auto and was not having any knowledge about the illicit liquor kept in the



Auto. The petitioner is neither the owner the Auto nor having any concern with the seized liquor. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is in custody since 26.06.2025 and charge-sheet has been submitted. The petitioner is having clean antecedent.

05. Learned APP for the State opposes the submission made on behalf of the petitioner.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that recovery has been shown from an Auto and also considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge Excise Act, Danapur/court concerned in connection with Excise Danapur P.S. Case No. 339 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the 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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