

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64279 of 2025

Arising Out of PS. Case No.-333 Year-2025 Thana- Excise P.S. District- Kaimur (Bhabua)

Praveen Kumar Singh S/o Talkeshwar Singh R/o Village- Bhandan Tola, P.S.-
Nawada, District- Bhojpur (Ara)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarfraz Ahmad, Advocate

For the Opposite Party/s : Mr.Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-09-2025 Heard the parties.

2. The petitioner apprehends his arrest in connection with Excise P.S. Kaimur Case No. 333 of 2025, registered for the offences punishable under Sections 30(a), 32(i)(iii), 41(i)(iii) & 37 of Bihar Prohibition and Excise Act, 2016.

3. In course of vehicle checking, the police intercepted a scooty bearing Regn. No. BR 03AH-6705. In course of search, total 14.220 litres of Indian made foreign liquor was recovered.

4. Learned advocate for the petitioner submitted that, admittedly, the place from where recovery has been made, the presence of the petitioner was not noticed and, in fact, on the alleged date of occurrence, the scooty was taken away by his sister's brother-in-law and the petitioner was not aware of the



fact that it has ever been used for illicit purpose. Only on account of one criminal antecedent of identical nature, his name has been implicated in this case. There are various other infirmities in the search and seizure and the prescriptions provided under Section-103 of B.N.S.S. has been given a complete go-bye. Petitioner undertakes that he would fully co-operate in the investigation and the proceeding of the Court.

5. On the other hand, learned advocate for the State vehemently opposed the bail application and submits that the use of the petitioner's vehicle in the crime in question cannot rule out the complicity of the petitioner.

6. Having considered the submissions advanced by the learned advocate for the respective parties and taking note of the fact that the petitioner was not present at the place of occurrence and the alleged recovery has been made from the scooty which was being driven by co-accused and there is no other material collected during the course of investigation showing complicity of the petitioner in the crime, in the opinion of this Court, the rigours provided under Section-76(2) of Bihar Prohibition and Excise Act, 2016 is not attracted besides the other infirmities as has been shown during the search and seizure, let the petitioner abovenamed be released on bail, in the



event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge Excise-II, Kaimur at Bhabua in connection with Excise P.S. Kaimur Case No. 333 of 2025 subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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