

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62275 of 2025

Arising Out of PS. Case No.-1162 Year-2025 Thana- Excise P.S. District- East Champaran

Radhey Shyam Kumar S/O Baiju Singh R/O Vill.- Parsa, Ward No. 4, P.S.-
Kundwa Chainpur, District- East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr.Choubey Jawahar, 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 Excise P.S. Case No. 1162 of 2025 registered for the offences under Section 30(a) of the Bihar Prohibition and Excise (Amendment) Act.

3. As per prosecution case, petitioner was apprehended carrying 63 litres of country made Nepali liquor on his motorcycle.

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. Recovered motorcycle does not belong to this petitioner and the



petitioner has no concern with the seized liquor. Petitioner has never indulged in trade of illicit liquor. Petitioner is having antecedent of 2 cases and he is on bail in both the cases. Petitioner is in custody since 20.07.2025 and charge-sheet has been submitted.

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 fact that no recovery has been shown from this petitioner coupled with the fact that the seized motorcycle does not belong to this petitioner and also considering his period of custody and submission of charge-sheet, 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 Excise Court No.2, East Champaran at Motihari/concerned court in connection with Excise P.S. Case No. 1162 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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