

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62300 of 2025

Arising Out of PS. Case No.-72 Year-2025 Thana- DEODHA District- Madhubani

Md. Abbas S/o Ayub Rain @ Mo. Ayub R/o Village - Harane, P.S - Harlakhi,
District - Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar Sah, Advocate

Mrs. Archana Anand, Advocate

For the Opposite Party/s : Mrs. Gulnar Begum, 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 Deodha P.S. Case No. 72 of 2025 registered on 19.07.2025 for the offences under Sections 274 and 275 of the BNS and Section 30(a) of the Bihar Prohibition and Excise Act.

3. As per prosecution case, recovery of 810 litres of country made liquor was made from a four wheeler vehicle and the petitioner is stated to be its owner. Driver of the vehicle fled away on seeing the police party.

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 and he



was not apprehended from the spot. Vehicle was misused by the driver who was apprehended by the police when the vehicle was intercepted. Petitioner has no concern with the seized liquor and he has been made accused only being the registered owner of the vehicle. Petitioner is having no criminal antecedent and he is in custody since 29.07.2025.

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 fact that petitioner was not apprehended from the spot and no recovery has been shown from his conscious possession and also 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 Judge Excise Act, Madhubani/concerned court in connection with Deodha P.S. Case No. 72 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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